A Guide to Speedy Mail Service for Our Servicemen Overseas

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 18, 1968

Mr. DULSKI. Mr. Speaker, one of my special concerns with regard to our military commitment in Vietnam is the necessity for the best possible mail service for our gallant servicemen.

Twice I have traveled to Vietnam to see for myself the provisions over there for handling the mail. I must say that there was a big improvement between my two visits.

Most important in handling servicemen's mail after it reaches the mailbox is proper preparation of the mail by the sender. Such preparation can save a lot of delays and other frustrations on both ends.

I commend to my colleagues a new pamphlet which has been prepared by the Post Office Department for free distribution in some 40,000 post offices and branches across the Nation.

"Mail for Servicemen: A Guide for Speeding Service" is a handy pamphlet that clearly explains the rules and rates.

There are details on the three services for airlifting parcels at rates the average family can afford, the speedy service now available for newspapers and news magazines to most overseas bases, the special rates for books and other educational materials, and how to mail sound-recorded personal messages.

Referring to the new services available, Postmaster General O'Brien said he hopes the new "guide will help more American families be familiar with these services and use them."

SENATE—*Tuesday, March 19, 1968*

The Senate met at 12 o'clock meridian and was called to order by Hon. ALBERT GORE, a Senator from the State of Tennessee.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God, our Father, from the tumult of an angry, agitated world, we seek the sanctuary of Thy presence, not that we may escape from the world, but that we may turn to the perplexing maze of its tangled problems with strong spirits and quiet minds.

From the shams and shadows of these days, we pray for strength for our burdens, wisdom for our problems, insight for our times, and vision which sets our eyes on far horizons. And, above all and in all, undergird our faith with the conquering assurance that—

Under the shadow of Thy throne still
may we dwell secure,
Sufficient is Thine arm alone, and our
defense is sure.

We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., March 19, 1968.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ALBERT GORE, a Senator from the State of Tennessee, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. GORE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings on Monday, March 18, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on March 16, 1968, the President had approved and signed the act (S. 2419) to amend the Merchant Marine Act, 1936, with respect to the development of cargo container vessels, and for other purposes.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Lt. Gen. Jack G. Merrell (major general, Regular Air Force), U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of general while so serving, which was referred to the Committee on Armed Services.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the following committee and subcommittees be authorized to meet during the session of the Senate today:

The Committee on Aeronautical and Space Sciences.

The Permanent Subcommittee on Investigations of the Committee on Government Operations.

The Subcommittee on Foreign Aid Expenditures of the Committee on Government Operations.

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

The Subcommittee on Air and Water Pollution of the Committee on Public Works.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator, National Aeronautics and Space Administration, reporting, pursuant to law, on the extraordinary contractual adjustments and actions taken under project stabilization agreements, during the calendar year 1967; to the Committee on Aeronautical and Space Sciences.

REPORT ON AGRICULTURAL CONSERVATION PROGRAM

A letter from the Under Secretary, Department of Agriculture, transmitting, pursuant to law, the annual report on the Agricultural Conservation Program for the fiscal year ended June 30, 1967 (with an accompanying report); to the Committee on Agriculture and Forestry.

PROPOSED EXTENSION OF AUTHORITY OF DOMESTIC BANKS TO PAY INTEREST ON TIME DEPOSITS OF FOREIGN GOVERNMENTS AT RATES DIFFERING FROM THOSE APPLICANTS TO DOMESTIC DEPOSITORS

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to extend the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors (with accompanying papers); to the Committee on Banking and Currency.

PROPOSED INCREASE IN NUMBER OF OFFICERS FOR THE COAST GUARD

A letter from the Secretary, Department of Transportation, transmitting a draft of proposed legislation to increase the limitation on number of officers for the Coast Guard (with accompanying papers); to the Committee on Commerce.

PROPOSED LEGISLATION RELATING TO CONFLICTS OF INTEREST, WITH RESPECT TO MEMBERS OF DISTRICT OF COLUMBIA COUNCIL

A letter from the Attorney General of the United States, transmitting a draft of pro-

posed legislation to amend title 18, United States Code, relating to conflicts of interest, with respect to the members of the District of Columbia Council (with an accompanying paper); to the Committee on the District of Columbia.

PROPOSED DISTRICT OF COLUMBIA ZONING LEGISLATION

A letter from the Assistant to the Commissioner, transmitting a draft of proposed legislation to amend "An act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the use of land in the District of Columbia, and for other purposes," approved June 20, 1938, as amended (with an accompanying paper); to the Committee on the District of Columbia.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on omission of facilities for metering electricity in individual dwelling units proposed to reduce construction costs of low-rent public housing projects, Department of Housing and Urban Development (with an accompanying report); to the Committee on Government Operations.

ANNUAL AUDIT OF THE FOUNDATION OF THE FEDERAL BAR ASSOCIATION

A letter from the Secretary of the Board of Directors, the Foundation of the Federal Bar Association, transmitting, pursuant to law, the annual audit of the association for the fiscal year ended September 30, 1967 (with accompanying papers); to the Committee on the Judiciary.

REPORT OF FINANCIAL STATEMENT OF BOYS' CLUBS OF AMERICA

A letter from the president, Boys' Clubs of America, transmitting, pursuant to law, a report of an audited financial statement of the club for the year ended December 31, 1967 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the legislature of the State of California; to the Committee on Finance:

"ASSEMBLY JOINT RESOLUTION 2

"Relative to federal participation in aid to families with dependent children program

"Whereas, After June 30, 1968, the federal government will not participate in aid to families with dependent children payments to children under 18 years of age on aid because of the absence of a parent, beyond those represented by the proportion of such children to the state's total child population under 18 years of age as of January 1, 1968; and

"Whereas, Any increase in the number of children under 18 years on such aid without a proportionate increase in the state's total child population under 18 years of age after June 30, 1968, would place the entire financial burden for such increase on the state and counties; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to rescind the recent legislation limiting the federal government after June 30, 1968, from participating in aid to families with dependent children payments to children under 18 years of age on aid because of the absence of a parent, beyond those represented by the proportion of such children to the state's total child population under 18 years of age as of January 1, 1968; and be it further

"Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution adopted by the Order Sons of Italy in America, Lodge No. 487, Binghamton, N.Y., praying for the enactment of legislation to declare the Garibaldi-Meucci Memorial Museum, Staten Island, N.Y., a national historical landmark; to the Committee on Interior and Insular Affairs.

REPORT OF JOINT ECONOMIC COMMITTEE ON THE JANUARY 1968 ECONOMIC REPORT OF THE PRESIDENT—STATEMENT OF COMMITTEE AGREEMENT, MINORITY AND OTHER VIEWS (S. REPT. NO. 1016)

Mr. PROXMIRE. Mr. President, the Employment Act of 1946, section 5(b)(3), requires that the Joint Economic Committee, not later than March 1 of each year, shall file a report containing its findings and recommendations with respect to each of the main recommendations made by the President in the Economic Report. This year the date for filing the committee's report was extended to March 22 by Public Law 90–250, dated January 24.

I therefore submit, from the Joint Economic Committee, a report entitled "1968 Joint Economic Report," and ask unanimous consent that this report may be printed together with the statement of committee agreement, minority and other views.

The ACTING PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Wisconsin.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KENNEDY of Massachusetts:

S. 3185. A bill for the relief of Antoni de Januszkowski and Maurice Lemee; to the Committee on the Judiciary.

By Mr. METCALF:

S. 3186. A bill to provide for Federal participation in the cost of improvements to streets and appurtenant facilities at the Army Reserve facilities in Helena, Mont.; to the Committee on Armed Services.

By Mr. METCALF (for himself, Mr. BURDICK, and Mr. MOSS):

S. 3187. A bill to amend the Rural Electrification Act of 1936, as amended, in order to authorize loans under such act to be made in the territory of Guam without regard to certain limitation prescribed by such act; to the Committee on Agriculture and Forestry.

By Mr. ALLOTT:

S. 3188. A bill for the relief of Michael D. Manemann; to the Committee on the Judiciary.

By Mr. FONG:

S. 3189. A bill for the relief of Frank Shih-Heng Cheng; to the Committee on the Judiciary.

By Mr. JORDAN of Idaho:

S. 3190. A bill for the relief of Jose Anchastequi;

S. 3191. A bill for the relief of Pablo Garay; and

S. 3192. A bill for the relief of Jose Maguregui; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S.J. Res. 155. Joint resolution to designate April 21–27, as "Discover America Vacation Planning Time"; to the Committee on the Judiciary.

(See the remarks of Mr. MAGNUSON when he introduced the above joint resolution, which appear under a separate heading.)

SENATE JOINT RESOLUTION 155—INTRODUCTION OF JOINT RESOLUTION TO DESIGNATE APRIL 21–27 AS "DISCOVER AMERICA VACATION PLANNING TIME"

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a joint resolution designating the period April 21–27, 1968, as "Discover America Vacation Planning Time." This joint resolution would encourage Americans and citizens from abroad to enjoy the opportunities for travel within the United States. It recognizes the value both as an economic force and as a means of appreciating our national heritage. And it stresses the need for thoughtful planning to achieve a meaningful "Discover America" vacation.

On this occasion there is one point that should be made: America is worth discovering. Every region of this country has magnificent natural wonders, inspiring historical landmarks, and fascinating cities and towns. We have an outstanding transportation system and some of the world's best facilities and services. No one should take this for granted, and no one should pass up the opportunities that are awaiting the well-prepared vacationing traveler.

Americans love to travel. During the summer, on our highways and around our great travel attractions, citizens from every State mingle in the adventure of travel. Proof of this is seen in the commingling of auto license plates from every State.

We are also a major travel attraction to visitors from foreign nations. In 1967, we hosted nearly 1.5 million business and pleasure visitors from abroad. In addition, 423,000 visitors came to see us from Mexico and an estimated 7 million from Canada.

Certainly we see a lot of vacation travel here in America, and we are better off because of it. Even so, we need a Discover America resolution. First, we need it because planning is necessary to make the best use of the facilities and services available; second, because far too many Americans have not yet really discovered this great country of ours. Further, this very resolution can go far in stimulating travel related companies and organizations to tie-in with a supporting travel promotion campaign which will have added significance in view of the Nation's balance-of-payments travel deficit.

I do not think any one will argue with the fact that planning pays off in long-remembered vacation experiences. But let us look at the second reason for this

resolution; the limited travel of many Americans within their own country.

In an annual publication of travel statistics in America, Mr. William D. Patterson said that 80 million Americans took no holiday or business trip of any kind.

This disturbing figure was underlined in testimony before the House Committee on Ways and Means on February 29, 1968, by Robert E. Short, chairman of Discover America. He cited the findings of his organization that from the standpoint of our travel habits, that we were divided into four distinct regions and that too few of our citizens move from region to region. He stated that more people left the northeastern part of the country for foreign destinations than the number who found their way from that region across the Rocky Mountains. The reverse proposition was equally true: many more people traveled out of the country from the West than within the country from the West to the East.

Mr. Short also cited the limited movement of our people between the North and the South. But what surprised me most was what he had to say about our travel habits on a smaller scale. According to a "Discover America" survey, over half of our people have never been further away from home than 200 miles. Over half of them have never stayed overnight in a hotel. And less than 20 percent of the people have ever flown on a commercial airliner.

I have called attention to these figures to show the tremendous potential for enlarging the travel experience of millions of Americans. Beyond that, there are millions of potential visitors in foreign lands waiting for the opportunity to come and see us.

I hope that this information will promote more beneficial travel to and within our Nation. America is waiting to be discovered again and again by those who will plan now. I urge the prompt approval of the "Discover America Vacation Planning Time" joint resolution.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 155) to designate April 21–27, as "Discover America Vacation Planning Time," introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILL AND JOINT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin [Mr. NELSON], I ask unanimous consent that, at its next printing, the name of the junior Senator from New York [Mr. KENNEDY] be added as a cosponsor of the bill (S. 1567) to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide an alternate method of making loans for acquisition and improvements of the farm, needed by farm families, including young farmers, and to provide borrower family with adequate standards of living and the consumer with reasonable prices for dairy and other agricultural products, as well as to maintain and improve national health; and for other purposes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from North Carolina [Mr. ERVIN], I ask unanimous consent that, at its next printing, the name of the Senator from New Mexico [Mr. MONTOYA] be added as a cosponsor of the joint resolution (S.J. Res. 150) to designate the month of May 1968 as "National Arthritis Month."

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESOLUTIONS

The following resolutions were submitted or reported and referred as indicated:

REFERENCE OF SENATE BILL 3185 TO COURT OF CLAIMS

Mr. KENNEDY of Massachusetts submitted the following resolution (S. Res. 267); which was referred to the Committee on the Judiciary:

S. RES. 267

Resolved, That S. 3185 entitled "A bill for the relief of Antoni de Januszkowski and Maurice Lemee" together with all accompanying papers is hereby referred to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, for further proceedings in accordance with applicable law.

REFERENCE OF SENATE BILL 3188 TO COURT OF CLAIMS

Mr. ALLOTT submitted the following resolution (S. Res. 268); which was referred to the Committee on the Judiciary:

S. RES. 268

Resolved, That the bill (S. 3188) entitled "A bill for the relief of Michael D. Manemann", now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the Court of Claims, and the chief commissioner of the Court of Claims shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

SENATORIAL STANDARDS OF CONDUCT—AMENDMENTS

AMENDMENT NO. 629

Mr. CLARK submitted amendments, intended to be proposed by him, to the resolution (S. Res. 266) to provide standards of conduct for Members of the Senate and officers and employees of the Senate, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 630

Mr. CANNON submitted amendments, intended to be proposed by him, to Senate Resolution 266, supra, which were ordered to lie on the table and to be printed.

AMENDMENTS NOS. 631 THROUGH 633

Mr. CURTIS submitted three amendments, intended to be proposed by him, to Senate Resolution 266, supra, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 634

Mr. MUNDT submitted an amendment, intended to be proposed by him, to Senate resolution 266, supra, which was ordered to lie on the table and to be printed.

AMENDMENTS NOS. 635 AND 636

Mr. DODD submitted two amendments, intended to be proposed by him, to Senate resolution 266, supra, which were ordered to lie on the table and to be printed.

ANNOUNCEMENT OF HEARINGS ON INTERNATIONAL GRAINS ARRANGEMENT OF 1967

Mr. SPARKMAN. Mr. President, I would like to announce that the ad hoc subcommittee of the Committee on Foreign Relations appointed to consider the International Grains Arrangement—an ad hoc subcommittee which I chair—will begin hearings on the Arrangement on Tuesday, March 26. Under Secretary of Agriculture John A. Schnittker and Ambassador William M. Roth, the President's Special Representative for Trade Negotiations, will testify on March 26 and, if necessary, on March 27. Other witnesses will be heard on April 4 and, if necessary, on April 5 as well.

The hearing on March 26 will begin at 11 a.m. The hearings on other days will begin at 10 a.m. All hearings will be held in room 4221, New Senate Office Building.

Individuals wishing to testify, who have not already communicated with the Committee on Foreign Relations, should contact Mr. Arthur M. Kuhl, chief clerk of the Committee on Foreign Relations.

SUPPORT OF AMERICA'S LABOR MOVEMENT FOR HUMAN RIGHTS CONVENTIONS HAS NEVER WAVERED

Mr. PROXMIRE. Mr. President, the rights embodied in the human rights conventions on forced labor, political rights of women, freedom of association and genocide are as native to America as the Declaration of Independence and the Constitution. Much of the energy and support for the United Nations itself came from the United States. The person who had the most influence in framing the U.N.'s Declaration of Human Rights was a great American—Mrs. Eleanor Roosevelt.

This pattern of American inspiration of and leadership in the fight for human rights is clearly seen in the history of the Convention on Forced Labor.

This convention is a direct outgrowth of an inquiry initiated by the American Federation of Labor with the Economic and Social Council of the United Nations. The A.F. of L., in 1947, asked for a complete investigation concerning forced labor and the consideration of action to abolish it.

Labor's support for this and other human rights conventions has been continuous. Jacob Clayman, the administrative director, Industrial Unions Department, testified last spring for the AFL–CIO before the Dodd subcommittee. He said:

> We come forward in support of the United Nations Conventions now before this Ad Hoc Subcommittee to assert and affirm in a few words the interest and concern of American workers in the building of a more effective moral foundation for national and world justice and humanitarianism.

Mr. President, I urge the Senate to heed the example of labor, of great leaders like the late Eleanor Roosevelt, of our own history. I call upon the Senate to ratify the Convention Concerning the Abolition of Forced Labor and the Convention on the Political Rights of Women.

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

JOHN VANCE APPROPRIATE CHOICE FOR CHAIRMAN OF THE INDIAN CLAIMS COMMISSION

Mr. METCALF. Mr. President, I am delighted that the President has designated John Vance, of Helena, Mont., as Chairman of the Indian Claims Commission.

Prior to becoming a member of the Commission last year, Mr. Vance served as a visiting professor of law at the University of North Dakota. He served 9 years as counsel of the Montana Trade Commission, as city attorney in our hometown of Helena, and as deputy county attorney in Missoula County.

Mr. Vance brought to his present position a scholar's knowledge of Indian affairs and Western history. That knowledge, coupled with his legal experience and administrative ability, indicates to me, and I am sure to the other members of the Senate Interior Committee who have discussed Commission affairs with him, that under his chairmanship the Commission will provide just and timely resolution of the complicated issues before it.

BLUE RIBBON COMMISSION TO STUDY VIETNAM PROBLEM

Mrs. SMITH. Mr. President, I would like to speak briefly on an important matter that deserves serious consideration but apparently has fallen victim to the highly charged political pressures and recriminations under which it was proposed and rejected.

I speak of the suggestion of the appointment by the President of a blue ribbon commission or panel to study the Vietnam problem. I think the suggestion is worthy of serious consideration and that it should be reconsidered rather than to fall victim to the conflict of intense political motivations, ambitions, and maneuvers.

I would hope that the President would give serious consideration to the appointment of such a commission with a composition that would be free of being suspect of any political motivations.

To attain such a membership, I would suggest that the President appoint men and women whose motives are not suspect by selecting only those who do not hold public office, elective or appointive, and who do not seek any public office.

I would suggest the consideration of past Presidents, who not only have dealt with wars in Asia, specifically Korea and Vietnam, but who are retired. I would suggest the consideration of past Secretaries of State and Defense who are retired and hold no public office.

I would suggest representatives from various segments of the American public, who have not assumed the posture of either a "hawk" or a "dove" and have not been identified as militants either for escalation or for unilateral withdrawal.

Were I President, I would welcome the observations and advice of such a commission in which I am confident the American people would have faith and trust—much more than in the current adversaries of the dialog.

RECEPTION TOMORROW IN VANDENBERG ROOM FOR OFFICIALS OF REPUBLIC OF KOREA

Mr. THURMOND. Mr. President, I should like to call the attention of the Senate to the visit to the United States of some distinguished visitors from the Republic of Korea and to invite the Members of the Senate to a reception for these visitors in the Vandenberg Room at 3 o'clock tomorrow, Wednesday, March 20. Gen. Im Chung Sik, Chairman of the Joint Chiefs of Staff, Republic of Korea, accompanied by his wife; Maj. Gen. Lew Byong Hion, Director of Operations and Plans Bureau, Joint Chiefs of Staff, Republic of Korea; and Lt. Col. Shin Yong Seong, administrative assistant to the Chairman of the Joint Chiefs of Staff, Republic of Korea, are here as guests of Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff of the United States.

These officers are to be commended for the outstanding record of the Republic of Korea military forces, especially for the record of the Republic of Korea Forces Vietnam. Many of the Members of Congress and staff have met these officers either in Korea or in Vietnam. General Lew, prior to his assignment to the Joint Chiefs of Staff, was the commanding general of the Capital—Tiger—Division of the Republic of Korea Forces Vietnam, from August 9, 1966, to September 20, 1967.

Lt. Col. Zetta Jones, Army liaison in the House, and Lt. Col. Dorothy Manning, Army liaison in the Senate, who are the escort officers for the visit of these guests to the Capitol, may be contacted for any further information about their visit.

Mr. President, I ask unanimous consent that a news release from the Department of Defense concerning these distinguished officers of the Republic of Korea be inserted in the CONGRESSIONAL RECORD at the conclusion of my remarks.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

VISIT OF GEN. IM CHUNG SIK, CHAIRMAN, JOINT CHIEFS OF STAFF, REPUBLIC OF KOREA

An Armed Forces full honor arrival ceremony will be held for General Im Chung Sik, Chairman, Joint Chiefs of Staff, Republic of Korea, at the River Entrance of the Pentagon at 11: 15 a.m. on Tuesday, March 19.

Visiting the United States as the guest of General Earle G. Wheeler, USA, Chairman, Joint Chiefs of Staff, General Im will be accompanied by Mrs. Im and Major General Lew Byong Hion, Director, Operations and Plans Bureau, Joint Chiefs of Staff, Republic of Korea, and Senior ROK Member of United Nations Command Military Armistice Commission.

Immediately following the arrival ceremony at the Pentagon, General Im will call on General Wheeler at 11: 30 a.m. That afternoon he will visit Arlington National Cemetery at 3 p.m. for wreath ceremonies at the Tomb of the Unknown Soldier and at the grave of former President John F. Kennedy. While in Washington General Im also will call on Deputy Secretary of Defense Paul H. Nitze and Vice Admiral Luther C. Heinz, Director of Military Assistance, and visit the National War College and the U.S. Capitol.

General Im will visit U.S. Army Continental Army Command at Fort Monroe, Virginia; Commander-in-Chief, Atlantic, headquarters at Norfolk, Virginia; Niagara Falls, New York; New York City and the United Nations; the U.S. Military Academy at West Point, New York; U.S. Air Force Academy and North American Air Defense Command at Colorado Springs, Colorado; Los Angeles and Headquarters Sixth U.S. Army at San Francisco.

On March 30 General Im and his party will depart San Francisco for Hawaii enroute to Seoul.

JURISDICTION OF THE FEDERAL POWER COMMISSION

Mr. SMATHERS. Mr. President, in a statement which recently appeared in the Washington Post, Miss Betty Furness, special assistant to the President for Consumer Affairs, was extremely critical of S. 1365, a bill introduced by my distinguished colleague from Florida [Mr. HOLLAND] and me to amend the Federal Power Act with respect to the jurisdiction of the Federal Power Commission.

Miss Furness called it a "backward step" for consumers.

The proposed legislation would exempt purely intrastate electric companies and REA cooperatives from the jurisdiction of the Federal Power Commission. The question that comes to mind is: "What consumer is she talking about?"

I testified before the Committee on Commerce that it had been disclosed that large additional costs and initial and continuing expenses would be incurred by the Florida companies in being forced to comply with the burdensome and unnecessary requirements of FPC. Such additional costs would necessarily be borne by the consumer.

As I pointed out at that time, rather than this measure being a bill which would be classified as favorable to the power company, the fact is that it is a measure in the interest of consumers.

Under such circumstances, I question whether Miss Furness represents the consumer in this matter, or the FPC, in what I believe to be a bureaucratic grab for power and authority.

The Miami Herald of June 15, 1967, published an editorial entitled "Power Grabbing and the Feds." This editorial succinctly examines the FPC's power grab and the resulting unfavorable impact on consumers because of the additional costs should it be successful in preventing the passage of this measure.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POWER-GRABBING AND THE FEDS

A million Floridians will pay the cost—and get nothing—if bureaucrats in Washington succeed in forcing the Florida Power & Light Co. to do extra bookkeeping.

The million are FP&L customers from Live Oak and Callahan on the north, all down the East Coast to Florida City and along the Gulf Coast from Bradenton to Naples.

"The unnecessary added costs will be loaded on the backs of our customers because they are our only source of income," FP&L President Robert H. Fite told the Senate Commerce Committee this month.

The issue is a Senate bill which would exempt electric companies operating wholly inside one state from the supervision of the Federal Power Commission. There was no question on this score until last March. Then the FPC voted 3-to-2 to seize jurisdiction over the Florida utility firm.

A dissenting commissioner flatly accused the FPC majority of trying to enlarge its power. The attempt, he added, "objectionably usurps the prerogatives of Congress."

The futility of the FPC gesture was made clear in Mr. Fite's testimony: "The Federal Power Act specifically prohibits regulation of retail rates by the FPC. Approximately 99 per cent of our revenue is from retail customers served under retail rates, and by no stretch of the present law could be considered subject to regulation by the FPC.

"The remaining one per cent of revenue—something less than $3 million per year—is derived from wholesale contracts for electric power sold to Rural Electric Cooperatives which, in turn, resell it to their retail customers."

Thus, the FPC's "power grab," as we called it last March, would accomplish nothing except to let the federal agency oversee the contracts between the FP&L and the seven REA's. For that doubtful gain FP&L's million customers would have to pay $4 to $6 million for preparing original cost statements of the utility's property for the FPC, according to Mr. Fite's estimate.

Then there would be yearly expenses of more than $500,000 for 57 new employes required to keep FP&L records for the FPC. And taxpayers all over the country, including Floridians, would foot the bill for FPC regulation of the company—"every telephone call, every letter and report, every expense account of a traveling auditor sent to Miami to review our accounting work," as Mr. Fite put it.

If it takes an act of Congress to put the FPC back in its place, we're for it.

DEATH OF WILLIAM SCHNADER

Mr. SCOTT. Mr. President, I am deeply saddened by the death of my close friend, William Schnader, who passed away yesterday morning. As attorney general for the Commonwealth of Pennsylvania under the administrations of Governor Pinchot and Gov. John Fisher, he became known for his energy and love of hard work. Before his death, at the age of 81, he worked almost daily in his law office. He was a prime mover for revision of the Pennsylvania constitution and an architect of the Philadelphia home rule charter.

He was a past president of the Pennsylvania Bar Association, and president of the National Association of Attorneys General. In 1961, he was awarded the gold medal of the American Bar Association, its highest honor.

He has been an active and effective leader in Pennsylvania and in the Nation. His death leaves a void which will not be easily filled.

PROGRESS IN HUMANE CARE FOR LABORATORY ANIMALS

Mr. MONRONEY. Mr. President, I ask unanimous consent that a letter I received from Dr. Irving G. Cashell, V.M.D., regarding Public Law 89–544, the Laboratory Animal Welfare Act, be printed in the RECORD.

Dr. Cashell's letter sums up the evolving and efficient enforcement of this law, and makes one very important point; the taxpayer will receive remarkable dividends from the humane treatment for laboratory animals because research results obtained from the use of healthy animals are far more dependable.

Congress made a very wise decision to place the inspection and enforcement of Public Law 89–544 in the hands of the experienced veterinarians of the Department of Agriculture, whose Animal Health Division has inspected each of the 182 licensed dealers, and 50 percent of the research facilities at least once.

With the relatively limited appropriation funds at their disposal, these dedicated men have instituted a far-reaching program of inspection and enforcement to insure that the act, as passed almost unanimously by the Congress, is carried out to the letter and intent.

I salute them for their efficient implementation of Public Law 89–544, and I thank Dr. Cashell for his succinct summation of their activities as of March 1968.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
March 12, 1968.

Senator A. S. MIKE MONRONEY,
Senate Office Building, Washington, D.C.

DEAR SENATOR MONRONEY: I have followed with interest events leading to enactment of the Laboratory Animal Welfare Act, P. L. 89–544, to which you gave such essential impetus. Now I would like to comment on the evolving enforcement of the Act.

As of March, 1968, the Animal Health Division has inspected each of the 182 licensed dealers at least once; and some have been inspected several times.

Fifty per cent of the research facilities have been inspected at least once. There are 532 research facilities registered under the law, and they have 1,500 inspection sites.

Fifteen research facilities have asked for extension of time to get into compliance with the requirements of the law.

All complaints of possible violations have been followed up on.

Field personnel have submitted eighteen cases for review for prosecution. Of these, nine are being developed for prosecution.

Fifteen dealers have gone out of business rather than attempt to make the improvements they would have to make for compliance with the law and regulations.

Some contacts have been made with auctions and Trade Days, but these have been limited.

Under the direction of Earl M. Jones, D.V.M., this has been accomplished with the limited appropriation made to initiate the program.

Over the years veterinary medicine in the U.S. Department of Agriculture has developed the control of infectious diseases of animals of economic importance. It has carried out the inspection of meat animals and meat for human consumption, and enforced the humane laws regulating the manner of transporting livestock interstate.

The taxpayers are little aware of the remarkable dividends returned on this relatively small investment. I am sure that the veterinarian administered law requiring the humane treatment of laboratory animals will be as efficiently invoked. Again the dividends will be substantial. We will know that laboratory animals are humanely cared for. We will know that research results utilizing healthy animals will be far more dependable.

With so many tax dollars going into biomedical research, we must support this law.

Sincerely,

IRVING G. CASHELL, V.M.D.

INCREASED RICE PRODUCTION IN THE PHILIPPINES

Mr. ALLOTT. Mr. President, when Philippine President Ferdinand Marcos took office in 1966, he began immediately to attack the problems which had frustrated development efforts in that country for many years. With the help of our foreign aid program, President Marcos has brought about many important changes during the first 2 years of his administration. He has stressed self-help by his country, reduced government spending, attacked smuggling and tax violations, appointed capable administrators to government posts, and begun a program of land reform and rural development with initial concentration on 11 key rice-producing provinces.

One of the most notable achievements of the Marcos administration is that, for the first time in some 50 years, the Filipinos are growing enough rice for their own consumption. This self-sufficiency in rice is the result of hard work of the Philippine farmers and the introduction of IR–8, a new miracle rice which can produce as much as five times the average Philippine crop. I ask unanimous consent to have printed in the RECORD an editorial published in the Washington Daily News of February 24, 1968, which comments on this advancement.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IR–8, ETC.

We admit a nation seems to have a better chance of making a headline by having troubles instead of curing them. But here's one unsung progress report that ought to be sung. It is that the Philippines, in the scant two years since President Ferdinand E. Marcos took office, has wiped out its half-century of dependence upon the import of rice (the basic foodstuff) and now is developing a comfortable surplus. It's a real triumph, the kind of thing the world needs more of if

it is to avoid widespread misery in years ahead as populations soar.

Filipinos give special credit to IR–8, a new "miracle" rice strain developed from a long Indonesian and short Taiwanese variety. Where introduced, it has produced as much as five times the average Philippine crop, enough to boost the national crop 10 per cent in a year.

It took more than IR–8 alone, however. It took farm extension workers to spread the word and the do-it-yourself kits (seed, fertilizer, insecticides) to farmers. It took a government that provided more local irrigation and built more feeder roads. It took a network of reinvigorated rural banks to grant crop loans. And it took a determined president who ramrodded the whole show, including a one-third rise in the rice price to give farmers greater incentive to produce.

Some Americans had a hand in this, too. The Ford and Rockefeller foundations supported the Rice Research Institute. The U.S. Agency for International Development pumped money into the rural banks. And American businessmen expanded their fertilizer and insecticide production (and profits).

But the key man was the Filipino farmer. As Dr. Dioscoro Lopez Umali, the Philippines' Under Secretary of Agriculture, put it; "Rice cannot be grown in a cabinet meeting, or in a bank, or in an agriculture store. It can only be grown by farmers." Provided with IR–8 and the important "et ceteras," they are making their country self-sufficient in rice.

Congratulations are due to all hands. We hope people in other food-deficient countries, especially in Asia, will follow the Philippine example.

TRIBUTE TO WILLIAM S. GAUD, JR., ADMINISTRATOR OF AID

Mr. McGEE. Mr. President, on last Friday the New York Times, in its "Man in the News" column, featured a public servant of vast ability who holds down one of this Capital's toughest jobs. He does it ably, as he has performed other tasks throughout his life. Mr. President, I ask unanimous consent that this profile of Administrator William S. Gaud, Jr., of the Agency for International Development, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 15, 1968]

BLUNT AID DIRECTOR—WILLIAM STEEN GAUD, JR.

A short time ago, during one of those "wasting-the-taxpayers'-money" waves that frequently wash over the Agency for International Development, mission heads in 70 nations around the world got a typically blunt message from their boss that began:

"I am sick and tired and I trust you are, too, of reading reports by visitors of idle or misplaced A.I.D.-financed supplies and equipment, of A.I.D.-built schools without teachers, hospitals without electricity, and so forth. The recurring question is, how can visitors find these situations if our own technicians, auditors and mission managers are doing their jobs?"

The question would have been sharper and the language much saltier—"full of all the commonly-used, four-letter superlatives," according to an aide—if William Steen Gaud Jr. had been addressing those mission chiefs across his desk in Washington.

Known among the 14,000 A.I.D. employes for his blunt tongue as well as his command of the details of his complex job, Mr. Gaud (pronounced Gowd) moved on yesterday to win the grudging respect of the Senate Foreign Relations Committee for his detailed, point-by-point presentation of the Johnson Administration's plans for foreign aid spending.

Mr. Gaud, an official of the agency since 1961 and director since August, 1966, is by now a veteran of the continuing war with Congress over appropriations for such overseas programs as population control, agricultural development and education.

"We go through these cliff-hangers every year," he said.

RUSK COMRADE IN WAR

In 1967, at the height of that year's battle over foreign aid appropriations, he said:

"What is needed for continuing public and Congressional support of foreign aid is a basic and general understanding that the built-in determination of the people of underdeveloped countries to improve their condition is a paramount fact of world affairs."

Mr. Gaud was brought into the agency by a World War II comrade-in-arms, Dean Rusk. Both served in New Delhi as Army colonels—first under Gen. Joseph W. Stilwell and later under the China-Burma-India command. Mr. Gaud's job was to direct military lend-lease aid to China.

Messmates and colleagues, they formed in India a mutual respect and fondness that led Mr. Gaud to offer his services to the State Department as soon as Mr. Rusk was made Secretary by President Kennedy. The offer was enthusiastically accepted.

Mr. Gaud, a lifelong Democrat, was not without Government experience. Immediately after the war he had served as special assistant to Secretary of War Robert P. Patterson. And before the war he was an assistant corporation counsel under Mayor La Guardia in New York.

One of his chief tasks was to handle the complex negotiations and court battles that followed the city's takeover of the I.R.T. subway line. Mr. La Guardia was so impressed with his skills in this and other assignments that he listed Mr. Gaud as one of the 11 men he thought qualified to succeed him as Mayor.

RAISED IN CHARLESTON

Though Mr. Gaud was born Aug. 9, 1907, in New York City, his soft Southern speech belies that origin. The explanation is that he was born while his parents—South Carolinians—were on a brief visit to the city. The family returned to Carolina and William Steen was raised in Charleston, where his father had established the Gaud School for Boys.

Educated in that school and later at one in Asheville, N.C., he studied for one year at the College of Charleston and then transferred to Yale, winning his B.A. degree in 1929 and his law degree, cum laude, in 1933.

Mr. Gaud elected to seek his fortune in New York and joined a city law firm. Two years later, after marrying Eleanor Mason Smith a Staten Island girl, he left the firm to begin his service for Mayor La Guardia.

The Gauds have one daughter, Anne, who was graduated from Vassar College last year with a major in Spanish. Though the family maintains a voting address in Greenwich, Conn., they sold their house there—a rambling, stucco residence, and now live the year round in the Spring Valley section of Washington.

During the spring and summer the Gauds will spend most weekends sailing in Chesapeake Bay on their 32-foot sloop, racing and tennis, usually fast games of doubles, are their chief recreations.

Just under six feet tall, of medium build, with sandy red hair, dark-rimmed glasses and conservatively cut suits enlivened by an occasionally adventurous tie, Mr. Gaud looks as he strides down the corridors of his agency like a tough administrator with a tough job. His aides say that's what he is and what he does well.

"THE LUCK OF THE IRISH"—AN ESSAY

Mr. MUSKIE. Mr. President, in this season of St. Patrick's Day there are very few Americans who are willing to deny that there is a bit of the Irish in them, in spirit at least.

Mrs. Elizabeth Wilson Herer of Bucksport, Maine, recently sent me an essay about the Irish which explains, I think, our affection for the Irish and our respect for their deeds.

I ask unanimous consent that Mrs. Herer's essay appear in the RECORD at this time.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

THE LUCK OF THE IRISH

(By Mrs. Elizabeth Wilson Herer)

The honor of the Irish is as good as his word. To them sin is a poor idea as they obey the law. The patriotism for their country is as fresh and verdant as the green grass of Ireland. Their expressions of good will, kind wishes, etc., affect scores of people.

The Irish are a nostalgic race of people who hold dear the memories of their childhood which gives them life and vigor. They gain much of their strength through knowledge and in being apt. Their verse-i-color is among the best of any land, and is read in the literature of the English-speaking world. They love poetry so much, that some of them even swear that God was a poet.

The rainbow is their love and the blue Iris their flower. In this country, we often nickname it the blue flag. To them, real is what counts and he that can break a bad condition on the country or the people, becomes a great man of bravery, as did St. Patrick, the patron saint of Ireland.

To the Irish, St. Patrick stands for the young in heart, the endurance of the working people; their jealousies and great strength; their love of Christ and a wholesome life and for the natural ways of children. He is supposed to have driven all of the poisonous snakes out of Ireland; actually it had to do with a potato famine.

The Shamrock belongs to Ireland. It is a symbol of good luck or I wish you good luck. I do wish you good luck on this fine day.

FUTURE FARMERS OF AMERICA

Mr. ALLOTT. Mr. President, the Arkansas Valley Journal has served the people of Arkansas Valley, Colo., well for many years. The paper is located in one of the great agricultural areas of my State, and its high quality of service is well known to me and to the people of the Arkansas Valley.

In keeping with its tradition of public service, the Arkansas Valley Journal salutes another fine institution of public service, the Future Farmers of America. I wish to add my commendation of the FAA and the fine work it does to the one so well expressed by the editorial entitled, "We Join Salute to FFA Program, Boys," published in the February 22, 1968, issue of the Arkansas Valley Journal.

Mr. President, I ask unanimous consent that the editorial to which I have referred be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WE JOIN SALUTE TO FFA PROGRAM, BOYS

This is National Future Farmers of America Week.

Each year it is celebrated during the week of George Washington's birthday because General Washington was not only the Father of his Country, but also the Father of a lot of the concepts of modern agriculture.

There are 450,000 members of the Future Farmers of America, and in this fine group of young men is the future of the food supply of our country, and to a great extent of the world.

Many of these boys will be operating farms and ranches in a few years, and making very practical use of the lessons they learned in their High School vo-ag classes and with their FFA farming projects.

Others will be in kindred occupations, many going on to two years in our fine junior colleges or for a full 4 year course with Ag major at Colorado State University or some of the other good "cow colleges" in adjacent states.

Demand for graduating ag majors in government service, extension, as teachers, in the Soil Conservation Service, the Forest Service and government research at state and national levels, and in private business, as field men, researchers, technicians, is much greater than the supply, and graduating ag majors can pick and choose among very attractive job offers.

A very large proportion of the ag majors get their start in the FFA programs and then go on to more advanced study.

Nothing is more important to the future welfare of the nation than its food supply, and the part that these FFA boys are going to play in assuring a continuing adequate food supply for the nation is what makes FFA so important.

The program also stresses leadership skills, public speaking, parliamentary procedure, and community service, and this is a wise program, because in the years ahead as still fewer and fewer people on the farms feed more and more people in the cities, it's going to require ever more sophisticated rural leadership to keep the Metropolitan areas from taking over politically, totally.

So we are happy to join in this nation wide salute to a fine program and a fine bunch of young men.

A DESPERATELY NEEDED INVESTMENT

Mr. CLARK. Mr. President, on February 29, when I introduced the Emergency Employment Act of 1968, I stated that the crux of our spreading urban crisis is "the terrible frustration that men and women find in the dead end of poverty and joblessness." I said that the combination of poverty and persistent unemployment creates an eroding sense of hopelessness "and hopelessness can be the torch to ignite the dynamite lying beneath every municipal surface."

The legislation I introduced is designed as a major step in the eradication of that hopelessness—the kind of hopelessness that says "We have nothing to lose" and unleashes storms of fire, violence, and pillage to rage through our city streets. The legislation I offered is designed to create, over a 4-year period, 2,400,000 jobs among America's hard-core unemployed. It is designed to eradicate some of the ghettos of the mind, ghettos of desperation, ghettos of hopelessness.

The importance of this objective is increasingly understood by the shapers of American thought and by the various media. A provocative and perceptive understanding of my new emergency employment legislation was broadcast to the people of Pennsylvania on March 4 in a commentary by Peter W. Duncan, editorial director of WCAU–TV in Philadelphia. Because the editorial deserves to be read by Members of Congress and the largest possible number of Americans, I ask consent that Peter Duncan's commentary, entitled "A Desperately Needed Investment," be placed in the RECORD at this point.

There being no objection, the commentary was ordered to be printed in the RECORD, as follows:

Last Thursday's report to the President from the National Commission on Civil Disorders reemphasized, among other things, the desperate need for more jobs in the areas of hard core unemployed.

On the same day, Senator Joseph Clark introduced the Emergency Employment and Training Act of 1968. Senator Clark's legislation calls for jobs and job training for 2,400,000 hard core unemployed during the next four years. This is the Senator's second attempt to get some recognition for this bill. He tried last year and it became tacked onto the Omnibus Anti-Poverty Bill. It fell by the wayside just before the Omnibus Bill passed.

We would not approve of jobs created just for the sake of making jobs. The Clark legislation calls for real jobs to satisfy real needs. It would provide funds to cities and towns to hire people for jobs that otherwise could not fit into the city budgets. For example, if a city hospital needed workers but there was no appropriated money left to hire them, this federal bill could come to the rescue.

It also encourages qualified private employers to receive funds from the government for hiring and training members of the hard core unemployment community.

The proposed legislation (which calls for a four year program) would cost about $2,000,000,000 the first year. That's a lot of money in anybody's book, but we're already paying out money for the welfare of the unemployed. It costs the federal government about $3,500 a year to care for one unemployed person on welfare. If that person is trained and given a job, he becomes a wage earner. When he becomes a wage earner, he also becomes a taxpayer. Now he would not only be off the welfare rolls, which saves us money, he would also be paying money into the government through taxes.

WCAU–TV sees the Emergency Employment and Training Act of 1968 as an excellent and desperately-needed investment.

FEDERAL POWER COMMISSION JURISDICTION SAVES MONEY FOR MASSACHUSETTS CONSUMERS

Mr. BROOKE. Mr. President, last year during hearings on S. 1365 I wrote Senator MAGNUSON, chairman of the Senate Commerce Committee, to express my opposition to this legislation, which would amend the Federal Power Act so as to seriously limit the Federal Power Commission's jurisdiction over wholesale suppliers of electric power. My conviction of the correctness of my original view has been strengthened in the intervening period.

Last year, I pointed out that—

New England has the highest electric power rates in the United States, and Massachusetts has the highest rates in New England. The wholesale rates paid by members of the Municipal Electric Association of Massachusetts have frequent investigations by the Federal Power Commission and, in some instances, reductions have been ordered. Continuing and future action by the Commission will hopefully bring future reductions and corrections of inequities so that New England's rates will come more reasonably in line with the prevailing national average. But if the Federal Power Commission's authority to regulate wholesale rates and to adjudicate controversies between smaller systems and large wholesale suppliers of electric power is emasculated, and I do not see how a reasonable interpretation of the language of S. 1365 could lead to any other conclusion, then Massachusetts power suppliers and consumers will be worse off than before.

Earlier this month the municipal light boards of the towns of Reading and Wakefield in Massachusetts filed a complaint with the FPC which demonstrates the kind of problem with which the Commission is called upon to deal.

The complaint contends that the service of Boston Edison to Reading "does not meet public utility standards," and cites a number of outages on the Boston Edison system which have jeopardized Reading's ability to meet the needs of its consumers.

It points out that Boston Edison's rates of return "have been running at rising, excessive levels, from 6.88 percent in 1962, to 7.75 percent in 1966." The company's current wholesale rates to Reading and Wakefield average some 11.3 mills per kilowatt-hour, as compared to the 8.4-mill national average of investor-owned utility sales to municipal utilities in 1965, the complaint reports.

It also observes that the company's retail rates "are the highest in the country, for cities over 50,000 population, judging by the typical 250-kilowatt-hour monthly bill comparisons; and in practically every retail category, there is a long term upward trend when 1946 and 1966 typical bills are compared." The complaint finds that Boston Edison's overall revenues were excessive by some $14,500,000 a year, based on 1965 cost data.

Reading and Wakefield ask the FPC to determine "why Edison's administrative and general costs run some approximately 2 mills per kilowatt-hour, about double the national average, which is below 1 mill kilowatt-hour." The complaint suggests that the towns are "subsidizing in rates the high costs of operating obsolete generating stations which prudent, aggressive management would have long ago replaced." It also charges that Boston Edison's approach to wholesale rates involves illegal restraints of trade.

It is exactly this kind of situation which the FPC is uniquely qualified to examine. Yet it is possible that Boston Edison might escape from Commission jurisdiction with passage of S. 1365.

Boston Edison was one of some 28 utility systems which experienced a major power failure in November 1965. An estimated 30 million Americans in an eight-State area were affected by the Northeast blackout. If that incident proved nothing else, it showed the interstate character of the electric industry of our region, including Boston Edison.

Actions by the FPC have resulted in the New England Power Co. reducing its wholesale rates by a total of $3,200,000 in 1964 and 1965. In another case, FPC suspended a $410,000 increase in trans-

mission charges by Narragansett Electric Co. to New England Power Co., and authorized an increase of only $94,000. So FPC jurisdiction benefits the consumers of both privately and publicly owned electric consumers.

Protection of consumers against excessive charges for electricity is not a partisan issue. I ask unanimous consent to insert in the RECORD at this point a news story from the Philadelphia Bulletin reporting on a statement by Governor Shafer of Pennsylvania which urges that Republicans give attention to private power company overcharges and a statement issued last week by Betty Furness, President Johnson's Special Assistant for Consumer Affairs, opposing S. 1365.

There being no objection, the article and statement were ordered to be printed in the RECORD, as follows:

[From the Philadelphia Sunday Bulletin, Dec. 31, 1967]

SHAFER URGES REPUBLICANS TO TAKE LEAD IN PROTECTING CONSUMERS' RIGHTS

(By Duke Kaminski)

HARRISBURG.—Governor Shafer yesterday urged the National Republican Coordinating Committee to take a leadership position on consumer protection at all levels of government.

Shafer wrote the policy committee, which includes Republican governors, Congressmen and state chairmen, that too many voters are of the mistaken opinion that only the Democrats are concerned with their plight in at least a dozen fields of business where sharp practices exist.

Shafer, urging creation of a Task Force on Consumer Protection, commented:

"Notice the names in the news and you can readily see who are the advocates of consumer protection. They are Democrats. This is not to say that only Democrats call for protecting the American consumer."

DEMOCRATS GET CREDIT

"This is to say that Democrats are getting credit for it. Republicans are acting—quietly—but prices continue to climb, and the fraud goes on."

Shafer enclosed a 30-page brochure outlining alleged frauds in insurance, charitable solicitations, land sales, brand-name drugs, trading stamps, auto sales, dance schools, public utilities, credit financing, uninspected meats, hospital costs and home improvements.

The proposal is aimed at furthering Shafer's candidacy as cochairman of the platform committee of the 1968 Republican National Convention. Shafer's candidacy, advanced by fellow governors, has run into GOP congressional opposition.

The brochure, outlining charges of sharp practices, contains some salty language, which is likely to be challenged in some areas.

CITES DRUG PRICES

In the running controversy on the pricing of brand name and generic named drugs, Shafer declares:

"It costs the user up to five times as much to buy basic drugs under the brand name of leading firms as it does to buy them in the cheapest available form under the common generic name. There is no difference between the two except the price.

"Drug firms are aware of their quasi-monopolistic position and take every measure to exploit it fully. They spend 24 cents out of every dollar to promote their products to doctors. They spend $750 million a year on promotion; an average of nearly $5,000 for each of the fulltime practicing doctors in the United States."

As a result, Shafer said, too many doctors are prescribing the higher-priced brand-name drugs.

AUTO INSURANCE

"Are the automobile insurance companies giving the consumer the full services for the price they pay?" Shafer asks.

"Industry spokesmen claim that the underwriting loss for all companies in 1965 was $301 million, and that about a third of all companies had losses in their overall operations.

"Yet, there is some evidence that an 'underwriting loss' is an artificial bookkeeping device developed by the industry to justify high rates and low taxes. The companies keep one series of accounts for ratemaking purposes and another series of accounts to test for solvency and liquidity of assets and investment analysis."

OTHER EFFECTS

Under the double bookkeeping, insurance companies in most states, including Pennsylvania, base their current rates on the ratio between claims and current premium payments, disregarding their earnings on their stock and bond portfolio accumulated in low payout years."

Shafer continued:

"Poor insurance practices affect the consumer in many other ways:

"—Prompt overpayment of relatively slight injuries and gross underpayment of a very serious injury, usually after a long delay.

"—Twice as much is often paid out in insurance premiums as is collected in insurance benefits."

HOSPITAL COSTS

These were some of his comments on hospital costs:

"In spite of the great rise both in health services and in health costs, there has been a barely perceptible increase in the life span of Americans since 1954. In terms of average remaining lifetimes after age ten, U.S. males rank 31st and U.S. females 12th in the world.

"The fact is that U.S. hospitals are in bad shape. Many provide care that can only be called shoddy, most are greatly overcrowded and practically all are extremely expensive. The consumer is forced to foot the bill for inefficient business practices conducted by hospitals."

THE CHARITY INDUSTRY

These are some of the governor's comments in other fields:

Charities—"With the aid of aggressive sales campaigns, the charity industry took in $8 billion in 1960, making it the fourth largest industry in the United States.

"In order to increase the amount of contributions, many charities use public relations gimmicks. To conceal the rising cost of their campaign drives, many leading charities have adopted accounting practices which may cloak, from the unsuspecting contributor, the fact that vast slices of his charity donation is financing an advertising campaign, instead of helping the kid on the poster."

RETIREMENT PARADISES

Land sales—"The selling of 'retirement paradises' in sunny Florida or scenic Arizona for 10 percent down and $10 a month brings in over $700 million annually to this industry.

"All too often, the sun shines down upon a swamp, or the unfortunate buyer finds himself paying property taxes to maintain a scenic desert."

Trading stamps—"in 1960, there were between 250 and 500 stamp companies doing between $600 million and $800 million of business. Despite their fantastic popularity, it is estimated that only 5 percent of the public actually redeem their stamps for goods, yet everybody is required to pay an informal sales tax of 2 percent for the privilege of having these stamps dropped into one's grocery bag."

AUTO SALES

Automobile sales—"The purchase of a car is the second most important purchase that most buyers make. In order to complete this transaction unscathed, he must have the knowledge and stamina to cope with a high-pressure world of tricky financing, clever sales tactics and attempts at selling lemons for the price of cars.

"One widespread abuse in used-car sales is the 'as-is' provision, which commits the buyer to all the terms of the contract, regardless of the shape he finds the car in, once he signs the contract. Other favorite tricks include turning back the odometer; hiding, rather than repairing, defects, and the use of salesmen posing as private parties who 'must sell immediately.'"

THE DANCE RACKET

Dance schools—"A particularly vicious racket, one that cynically preys on the emotional insecurities of shy, lonely people is the dance racket.

"These schemes depend on building an emotional attachment between the instructor and the student, which is used to pry more and more funds out of the victim. Teachers are given 3 to 5 percent commission on all monies collected.

"The average cost of a lifetime membership is about $12,000. In one case, a widowed New York woman, age 79, paid $11,800. Once they have paid, the lifetime members suddenly find themselves unwelcome."

UTILITIES MONOPOLY

Utilities—"The individual utilities hold a virtual monopoly on a product whose demand doubles every ten years. Furthermore, they are assured profits plus costs, and they are not compelled to refund overcharges as is required of ordinary cost-plus operators.

"Strangely enough, these cost savings have been very slow in reaching the consumer. The total overcharge imposed on the public by 165 power companies in 1965 is claimed to amount to a staggering $618 million."

Credit financing—"American consumers presently owe more than $300 billion, and during the past ten years, the consumer credit outstanding has grown from 14.5 to 17.5 percent of the disposable personal income. Meanwhile, the personal bankruptcy rate has tripled in the past decade, numbering 170,000 last year.

"Some lending institutions and businesses have used a game of deceptive percentages to cloak the extent of interest charges. Some of the favorite techniques include the pitch in which no interest is quoted at all, and emphasis is placed on the low payments of $10 a month or 'pennies a day.' This is the favorite approach of those who prey on the poor and uneducated.

THE ADD-ON SYSTEM

"A popular gimmick among the automobile dealers is the add-on system, in which the dealer 'packs in' all sorts of extras such as credit investigation, loan processing, late-payment service and the like.

"An added feature of the credit game, as played by many auto dealers, is the kickback. The finance company lends the dealer the money to buy his cars from the manufacturer, without interest naturally, and in return the dealer throws most of the installment contracts he makes to the finance company. Today, almost half of many dealers' profits comes from seeing that the customer pays the highest possible finance charges. The higher the rate, the larger the kickback."

FOUR D'S IN MEAT BUSINESS

Meat—"Nationally, 15 percent of the commercially slaughtered animals and 25 percent of the commercially processed meat are not covered by adequate inspection laws. There is virtually no effective control over pitiless greedy operators who traffic in the four Ds—dead, dying, diseased or disabled animals—in order to cut a few cents off costs.

"In one year alone, 115 U.S. inspectors condemned 22 million pounds of meat that either was rancid, mouldy, odorous, unclean or contaminated. A government survey of poultry samples from two representative plants showed that 11.2 percent of the chickens contained salmonella organism.

"Between 10 to 30 percent of that ham that looks so meaty could be water pumped into it. That slab of beef that tasted so stringy but looked so nice was glamorized through the use of such cosmetics as water, gum, cereals and chemicals."

An attempt to improve Pennsylvania laws on meat inspection failed to clear the 1967 session.

STATEMENT FROM THE OFFICE OF THE SPECIAL ASSISTANT TO THE PRESIDENT FOR CONSUMER AFFAIRS, MARCH 13, 1968

S. 1365 is contrary to the interests of electric consumers. Its enactment would represent a backward step in recent Congressional efforts to insure adequate regulatory protection for those who purchase goods and services for their own use. Your committee has exercised clear leadership in the drive to aid American families in their own attempts to guarantee that the dollars they spend buy safe, reliable, and reasonably priced products. I am confident that the committee will not wish to report favorably a bill which moves in the opposite direction.

Sale of electricity is an area in which adequate regulatory safeguards are essential. Electricity is the end product of a $75 billion industry involving an interstate complex of generation and transmission. It is an essential ingredient of modern society, as testified to by such events as the Northeast blackout of 1965, and the 1967 power failure in Maryland, New Jersey, and Pennsylvania. It is normally sold under monopoly conditions and the consumer cannot "shop around" for a more favorable price. Neither the housewife who turns on her electric mixer nor the man who plugs in his electric shaver has the time or technical talent to probe behind their electric bill. That is why we have regulation.

S. 1365 would create a loophole in the law which would permit utilities to escape FPC regulation at a time when the need for such public protection is increasing. On the other hand, S. 1934, the Electric Power Reliability Bill, also pending before your committee, would establish the machinery to deal with problems posed by the rapid expansion of the electric industry, which is doubling in size each decade. I urge that the committee take a look at the future, rather than attempt to restore the past, and support attempts to lower power costs. The stakes are enormous. A reduction of 1/10 of a cent per kilowatt-hour would represent an annual savings of about $2.7 billion in 1980.

NEW AND BETTER PROGRAMS MEAN FARM PROGRESS

Mr. MONRONEY. Mr. President, I join my colleagues in praise of the President's "Farm and Rural America" message. I think the President has shown great depth of understanding and compassion in defining the problems of the farmer and the nonfarm rural resident. His statement shows his sympathy and compassion for the poor and the boxed in families living in our countryside.

The President has shown very clearly that these citizens are in a situation not of their making, and not of their control. He has ably demonstrated in his message the great need for substantial and immediate relief. He has also shown that continuation and expansion of present programs must be immediately implemented or the Nation will suffer irremediable damage.

To these aims and principles I add my wholehearted support.

I also want to say at this point that I believe the problems stated by the President and the solutions he has proposed should be considered regardless of party lines and no matter from what part of the country my colleagues may come. The problems we face must be dealt with realistically, wholeheartedly, and with a deep concern for the continuing progress of our Nation.

As the President stated, his proposals to place American commercial agriculture on a sounder and stronger footing constitute only half the battle we face in our rural areas. The other half of the problem is made up of combating the problems of our rural people who are ill-housed, unemployed, underemployed, undereducated, and lacking in full health facilities. It is appalling to me that in this time of abundance across our country, so many of our citizens lack the basic facilities of water and sewer systems.

In my own State of Oklahoma, Mr. President, Federal water and sewer loan and grant programs helped finance 78 such systems to the benefit of more than 12,000 rural people in 1967.

In fiscal year 1966, these basic facilities were provided for more than 40 Oklahoma communities.

But the problem is by no means solved, or even being touched in hundreds of other communities in Oklahoma and thousands of similar rural areas otherwise scattered throughout America. These programs constitute the best and most prudent way of giving these communities assistance at a minimum cost to the taxpayer. To me the relatively small amount of grant money necessary to carryout the program represents a wise investment in the future of rural America—an investment that will be repaid manifold in the economically developing years to come.

Mr. President, I was particularly delighted to note that the President urges the creation of a national food bank—a security reserve of wheat, feed grains, and soybeans—to protect the consumer against food scarcity and the producer against falling prices. I have introduced a bill to fill this need, and several of my colleagues in the Senate have done likewise. My bill provides for the establishment of reserves of wheat, feed grains, and soybeans by the purchase through the Commodity Credit Corporation of 200 million bushels of wheat, 15 million tons of feed grains, and 30 million bushels of soybeans. This reserve is to fill the need stated by the President to meet demands of emergency situations and is to be insulated from the marketplace for times of emergency.

In addition to the amounts held by the Department of Agriculture, my bill provides for an additional 200 million bushels of wheat, 15 million tons of feed grains, and 30 million bushels of soybeans to be held by the producer under the Department of Agriculture's extended reseal program. In addition to the farm reserve held by the Commodity Credit Corporation, these additional quantities are insulated from the market and held as a reserve and controlled by the producers.

I sincerely believe that the provisions of this measure fulfill the requirements laid down by the President for a national food bank. The bill fulfills the needs stated by the President when he said:

A National Food Bank can provide important protection for *all* Americans.

The *farmer* will not have to bear the burden of depressed prices when production exceeds needs.

The *consumer* will be protected from unanticipated food scarcity.

The *Government* will have a reserve stock "cushion" in making acreage allotment decisions and in responding to international emergencies.

My colleagues and I are hopeful that these measures urged by the President not only in the "farm and rural America" message, but also in his state of the Union address will receive early consideration and approval by Congress.

If we get this food bank bill through Congress this spring, we will be in a position to take immediate action for the crops which will develop this year, and I believe that this represents the spearhead of implementation of the President's policy.

My colleague from Oklahoma and I have also cosponsored the Rural Job Development Act to provide tax incentives for industry locating in rural areas, encouraging rural development. The President's message likewise gave support to this principle. His message clearly shows the depth of understanding and the multitude of complex problems surrounding this need, and I am quite happy to work with the President in this area, in the hope we can help halt the rural to urban shift.

Let me call to your attention the fact that less than a week after the President's message there was presented to the Congress the report of the National Advisory Commission on Civil Disorders. This document, now commonly called the riot report, sets out the great need presently felt by our cities for aid. It shows very clearly situations which require a fantastic amount of Government help and direction.

Mr. President, I think we are all keenly aware of the tremendous needs of our cities. The burdens being borne by our urban areas in health, housing, highways, and employment opportunities are extensive and immediate.

But I want to call attention to the fact that in thousands of our nonurban communities there is likewise a pressing need for immediate help in these same areas. Our rural people are ill housed, unemployed, underemployed, undereducated, and lacking in full health facilities. A large number of these communities are in dire need of adequate running water and sanitary sewer facilities, and I think our larger cities do have those, at least.

Those Americans who choose to live in our rural areas have the right to have available to them the same kind of employment opportunities, the same criteria for home loans, the same standards for health facilities, the same opportunity for basic education, and the same hopes

for participation in the abundance of our country as the city citizens.

The American farmer has been caught in the same vortex of rising prices as everyone across the country has, but with the added difficulty of uncertainty of income, and in a great number of cases a depressed income.

If the present deplorable state of the rural economy is to continue, we will simply see the disappearance of the grassroots of America. And it necessarily follows that the urban problems will compound.

In Stillwater, Okla., on May 17–18 a meeting will be held to discuss the continuing migration to large cities by the rural population. This meeting will be cosponsored by the Ford Foundation, Oklahoma State University's Manpower Research and Training Center, and the Senate Subcommittee on Government Research. It will be chaired by Senator HARRIS, of Oklahoma.

This conference at Stillwater will hopefully come up with positive recommendations for the best use of our rural manpower. The great wealth of our country is in our people, and this means the rural people as well as the city people. America needs the full range of manpower, and we will not get that if we develop only the urban side, or remedy only the urban ghetto problems.

Mr. President, there is another major stumbling block to rural development which was thrust upon rural America arbitrarily last week. The Treasury summarily announced the death knell for interest-free municipal industrial development bonds.

These bonds have been a vital part of the life-force of nonurban industrial establishment, particularly in Oklahoma, where the new ruling would block the creation of 16,000 new jobs now for nonurban Oklahomans. As far as I am concerned, this action is contrary to the expressed intention of Congress, and totally without authority. I hope Congress will take action immediately to stop this kind of unauthorized, illegal rulemaking, which can only damage our endeavors to help the economy of rural America.

Mr. President, perhaps no single institution has contributed more to rural America than our system of rural electric cooperatives. I believe that no institution is better qualified and prepared for the drive to bring industries and all the amenities of modern life to the countryside.

REA systems are already playing a vital role in rural economic development. In addition to bringing electric power in at reasonable rates, they are leaders in the field of industrial development. In Oklahoma the co-ops have helped to launch at least 85 projects creating 2,900 jobs for rural people. Nationally, since the rural areas development program began in 1961, REA co-ops have helped to start 2,000 projects creating at least 182,000 jobs—in agriculture, forestry, recreation, community facilities, and industrial development. I believe we must continue this vital program, and even expand it not just as a temporary measure, but permanently until the full benefits of this vast project are reality.

I realize the country is in a squeeze for proper funding of all worthy projects, and that there is a hue and cry for cutbacks and reduced spending. To those proponents, I must say that their ideas are grand, but the truth is we cannot ignore those areas of continued progress which are actually investments. The water resources and conservation efforts must continue, must be adequately funded, or we simply are going to lose our most valuable resource, our land. We cannot now abandon the great work which has gone on before, and we need to keep this effort going to get maximum return on the money already spent.

Senator HARRIS has cosponsored a bill to give the owners of property, or going businesses, or farms and ranches an option at estate tax time, so that a fairer method of evaluating the going concern can be made. The hard fact is that now because of factors, again not of the farmer's doing or under his control, the valuation of his business is improperly inflated, resulting in hardship to his heirs and devisees. I support this legislation because I believe it will work toward a more honest and factual tax structure, and benefit the farmers and ranchers and their dependents who have been hardest hit by the current regulations.

I have also been active in the legislation for better meat inspection in an effort to upgrade the market for our cattlemen, and inspire confidence in the consumer. That legislation is now law. There was a time when the consumer was unsure of the product he bought until the meat inspection acts were made national in scope. Now, with the 1967 legislation, all America can be sure of the meat and meat products purchased, and the producer can be sure he is going to get a fair shake in the market when he sells his stock. Better grading and inspection are beneficial to all parties concerned, and I am hopeful the States will get their legislation in effect in the earliest possible time.

There is another area, Mr. President, which requires the immediate attention of Congress: we need work on the legislation to make the same home loans available to the rural resident that are now available to the city dweller. Double standards just will not be accepted anymore. Criteria for homebuilding loans from the Federal Government must stand on the same footing, and be given equal consideration in the use of Federal moneys. The farmer desiring to build his home has had to conform to someone else's standards for too many years, and he should have the right to build his house with Federal assistance without a sacrifice in space, quality, or time, as is now the case in too many instances.

Mr. President, I urge this Congress to implement with all possible haste the President's plan for bringing new prosperity to rural America. I ask this be done not at the expense of our cities, but in a manner which will allow all American citizens to participate fairly and properly in economic abundance; to allow the opportunities of housing, fair dealing, improved economies, and full education to our farmers and nonurban citizens. I believe the President has stated it well when he said that this program will help the American farmer gain his place and privilege in the life of the Nation.

In this way, Mr. President, the full resources of the Federal Government can be applied with equity, integrity, and full fairness so all citizens can join in promoting our common progress. To do less is to stagnate.

BETTY FURNESS OPPOSES S. 1365

Mr. GRUENING. Mr. President, last week Betty Furness, the Special Assistant to the President for Consumer Affairs, released a statement expressing her opposition to S. 1365, a bill which would weaken the jurisdiction of the Federal Power Commission over private power companies. She pointed out that now is a time to strengthen, not weaken, regulation, and noted that the stakes are enormous. She observed:

> A reduction of 1/10 of a cent per kilowatt-hour would represent annual savings of about $2.7 billion in 1980.

While the FPC does not regulate retail rates, it is charged with the responsibility for reviewing wholesale sales in interstate commerce, financial operations and books of account, and the interconnection and coordination of public utilities. The Commission's activities in these fields have had a profound effect on all electric rates in recent years, a fact recognized by Betty Furness. I ask unanimous consent that the text of her statement and my own statement made to the Commerce Committee last year be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the office of the Special Assistant to the President for Consumer Affairs]

S. 1365 is contrary to the interests of electric consumers. Its enactment would represent a backward step in recent Congressional efforts to insure adequate regulatory protection for those who purchase goods and services for their own use. Your committee has exercised clear leadership in the drive to aid American families in their own attempts to guarantee that the dollars they spend buy safe, reliable, and reasonably priced products. I am confident that the committee will not wish to report favorably a bill which moves in the opposite direction.

Sale of electricity is an area in which adequate regulatory safeguards are essential. Electricity is the end product of a $75 billion industry involving an interstate complex of generation and transmission. It is an essential ingredient of modern society, as testified to by such events as the Northeast blackout of 1965, and the 1967 power failure in Maryland, New Jersey, and Pennsylvania. It is normally sold under monopoly conditions and the consumer cannot "shop around" for a more favorable price. Neither the housewife who turns on her electric mixer nor the man who plugs in his electric shaver has the time or technical talent to probe behind their electric bill. That is why we have regulation.

S. 1365 would create a loophole in the law which would permit utilities to escape FPC regulation at a time when the need for such public protection is increasing. On the other hand, S. 1934, the Electric Power Reliability Bill, also pending before your committee, would establish the machinery to deal with problems posed by the rapid expansion of the

electric industry, which is doubling in size each decade. I urge that the committee take a look at the future, rather than attempt to restore the past, and support attempts to lower power costs. The stakes are enormous. A reduction of $\frac{1}{10}$ of a cent per kilowatt-hour would represent an annual saving of about $2.7 billion in 1980.

STATEMENT OF SENATOR ERNEST GRUENING ON S. 1365, A BILL TO AMEND THE FEDERAL POWER ACT WITH RESPECT TO THE JURISDICTION OF THE FEDERAL POWER COMMISSION TO THE SENATE COMMITTEE ON COMMERCE

For the record of the Senate Commerce Committee I express, with this statement, my strong opposition to the enactment of the Bill, S. 1365, now pending before it. As one who has long been deeply concerned with the protection of consumers of electric power against unscrupulous practices of public utilities I must protest this latest connivance of the utilities against the interests of the consuming public.

In the first place, the language of S. 1365 is impossibly ambiguous. It is very difficult to tell whether the intent and ultimate effect of enactment would be limited only to issues surrounding the specific case of Federal Power Commission jurisdiction over the Florida Power and Light Company or whether it would have much broader effect. The meaning of the word "temporary" in subsection (2) is undefined and, as has been pointed out by the Federal Power Commission this term could be found to apply to a variety of situations in which a public utility might receive or distribute power derived from an out of state source. Thus, we might find the exemption from regulation proposed by S. 1365 to be very broad, indeed.

Also, the construction of the sentence making up subsection (2) raises a basic question as to whether the exemption from regulation for "temporary or emergency purposes" would apply only to utilities having indirect connections with out of state supplies of energy or whether the exemption would also apply to those having direct connections.

From its sponsorship and chief expressions of support of the legislation, it would appear the purpose of the bill is that of obtaining private relief for the Florida Power and Light Company from what it regards as onerous regulation by the Federal Power Commission.

Nevertheless, the measure is framed in general terms and would, if enacted, be the law of the Nation. Therefore, all consumers of electric power, in whatever state residing, must be concerned about the potential mischief that could be done by this legislation. The ambiguity of the language and the lack of agreement on the purpose of the bill appear to make it impossible to estimate with any accuracy the number of public utilities and which public utilities would be affected by passage of the bill.

In any case, it could be expected that enactment of S. 1365 would certainly cause the utilities to do whatever might appear necessary to insure exemption from Federal Power Commission jurisdiction under its provisions. Although the number of utilities that might be exempted from Federal regulation by this legislation might be unclear no doubt exists now, or ever has, that the electric utility companies do not like regulation by the Federal agency empowered to control them and will do anything they can think of to escape it.

S. 1365 is, as was S. 218 of the 89th Congress, another invention in the long series of tireless efforts of the electric utilities to avoid meaningful regulation of their activities. The necessity for Federal regulation came about as a result of the excesses of the utilities and abuses of the public interest which I recounted in my book, "The Public Pays," published in 1931 and republished in 1965 as "The Public Pays—and Still Pays." An investigation by the Federal Trade Commission, pursuant to a Senate resolution in 1928 revealed to the public the shocking manner in which the electric power companies, without any regulation, had made fortunes at the expense of helpless consumers, meanwhile conducting a ferocious campaign against the newly developing public power entities which was to be augmented later by a similarly ruthless attack on the Rural Electric Cooperatives.

It was after these abuses of the public welfare had been exposed that Congress passed the Public Utility Holding Company Act, including parts II and III of the Federal Power Act which S. 1365 would dangerously weaken. It is astonishing to find, as is the case, that, when my book was reissued in 1965 the attitude of the electric utilities toward their responsibility to the public had changed not at all and that these powerful instrumentalities were still endeavouring to crush the public power organizations and the Rural Electric Cooperatives. Throughout the years the private utilities have never given up for a day their position that Federal regulation is unnecessary and undesirable and that State regulatory action is sufficient. This has ever been the theme song and the constant refrain throughout the years. The support now given to S. 1365 is just another verse in the old familiar song.

We who would protect the interest of the consumer in the price paid for a necessity of life—electric power—can never abandon the fight for the highest standards of regulation of the producers of this commodity. An essential element in this is the maintenance of strong control by the Federal Power Commission over interstate sale of electricity. S. 1365 is a threat to the public interest in the protection of the public against excessive electricity costs and it must not be allowed to pass.

Besides the public interest in protecting the consumer against excessive costs, S. 1365 must be opposed because it would threaten another aspect of the public interest in the distribution of electricity. That is the growing concern that our technology and skills of organization be employed as fully as possible to extend and strengthen interconnections of power supplies throughout the nation so that our resources of power are utilized wisely and service is efficient and dependable. The legislation recently introduced by the Chairman of the Commerce Committee to encourage this very objective is indicative of the importance with which it is viewed by the agency and the technicians most closely acquainted with the facts. Nothing would retard and delay the progressive developments now close to achievement in this field so much as the kind of legislation proposed by S. 1365. Enactment of legislation to encourage the utilities to limit rather than increase interconnection of services would certainly deprive the nation of the benefits of technology the public should be allowed to enjoy.

If the purpose of S. 1365 is to limit exemptions from Federal Power Commission jurisdiction to the set of facts existing in the Florida Power and Light Company case it should be pointed out that this issue is now before the courts for determination. This being a matter now subject to decision by the Judicial Branch of the Government it is not properly a matter for legislative action.

If the purpose of S. 1365 is wider than this its potential for damage to the public interest is too great to allow its success.

I urge the Commerce Committee to reject S. 1365 and consign this misbegotten attempt at legislation to oblivion.

As for the part of S. 1365 which would exempt the Rural Electric cooperatives from FPC jurisdiction I have repeatedly expressed my opinion that such jurisdiction was never intended by the Federal Power Act, which preceded creation of the Rural Electrification Administration.

It is my hope this question has now been settled satisfactorily by the FPC decision on January 5, 1967 in the *Dairyland* case. This is another matter now before the courts for adjudication of a different aspect of the issue than that raised by the *Dairyland* proceeding. Should the result of the litigation be a reversal of the position now taken by the Federal Power Commission it may be necessary for Congress to act as the Senate did in the 89th Congress and pass legislation clarifying Congressional intent with respect to the exemption of the REAs from FPC jurisdiction. However, action on S. 1365 is not, in any way, the method which should be followed to accomplish this objective.

The tacking of the REA exemption provision on to S. 1365 must be regarded as a wholly cynical attempt by the public utilities to draw support for their efforts from the very organizations they have done nothing but try to put out of business throughout the history of this issue. The record of outrageous and constant propaganda campaigns against the Rural Electric Cooperatives is a shocking one and gives the lie to any suggestion this legislation is intended to be of benefit to them.

It is absurd to equate the eagerness of the private utilities to escape legitimate regulatory controls with the efforts of the rural electric cooperatives to establish the very fact they are in a completely different position from the utilities and should, for good reason, be recognized as having a different status insofar as Federal regulation of activities is concerned.

Let us hope this Committee disposes of S. 1365 by firm rejection.

EXPANDING GRAIN EXPORTS

Mr. JAVITS. Mr. President, I invite the attention of the Senate to a letter, written by Mr. Michel Fribourg, head of the Continental Grain Co., of New York, one of the world's largest grain dealers, to the editor of the New York Times on January 23. In the letter, Mr. Fribourg points out the importance of expanding our grain exports as one major means to deal with our balance-of-payments problem positively, and the grave danger to our agricultural exports from the imposition of protectionist measures by the United States. He warns that if U.S. agriculture loses its dollar-grain markets abroad through retaliation by our customers, the entire U.S. economy will be adversely affected.

I ask unanimous consent that Mr. Fribourg's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TO EXPAND GRAIN EXPORTS

To the EDITOR:

One positive solution to the pressing United States balance of payments problem is to expand existing markets and vigorously pursue new ones to sell more American products abroad.

It is not widely recognized that grain exports have been the largest dollar earner for the United States. Secretary of the Treasury Henry Fowler recently said that if it were not for the earnings from exports of agricultural products, the United States would have long since faced a national economic crisis and the value of the dollar would have been seriously undermined.

Last year total United States agricultural exports reached almost $7 billion, of which commercial sales for dollars earned $5.2 billion. Grain and soybeans accounted for a substantial portion of these totals. Japan, our largest customer, purchased only slightly

less than $1 billion worth of farm products last year.

EFFECT ON ECONOMY

In addition, the European Economic Community's trade in wheat, feedgrains and soybeans was valued at about $800 million. This business is not only important to the American farmer, but reflects back through the entire United States economy.

I would caution our friends in steel, petroleum and other industries who have recently encouraged protectionist measures in Washington to remember that when a bushel of wheat, corn or soybeans is exported, steel and petroleum are also indirectly exported. These products are used by farmers to sow the seed and combine the grain. They are also used by the transportation industry to haul the product and so forth down to the water's edge for export and even across the ocean to the final destination.

If American agriculture loses its dollar-grain markets abroad through retaliation by our customers, the entire economy will be adversely affected.

In my opinion it would be a serious mistake for the United States to adopt protectionist measures—be they import quotas or barriers of another kind. Protectionism always triggers rapid retaliation. If such actions were taken, the United States would in all likelihood soon be involved in retaliatory trade wars with other nations.

Competition for world grain markets is aggressive and sharp. The United States is not the sole exporter of grain. We must not jeopardize our foreign outlets.

Narrow protectionist policies and economic nationalism are not only being threatened in our country, but elsewhere in the world, especially farm protectionism in the E.E.C. Protectionist interests in many countries have long petitioned their governments to restrict trade. The United States must not set the example to encourage these forces.

United States agriculture and the Agribusiness complex have a responsibility to support a liberal trade policy. It is imperative that the United States continue to exert strong leadership in the world to expand, not limit, trade.

MICHEL FRIBOURG.

NEW YORK, *January 23, 1968.*

The writer is an official of a grain company.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

SENATORIAL STANDARDS OF CONDUCT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 996, Senate Resolution 266, the unfinished business.

The ACTING PRESIDENT pro tempore. Without objection, the Chair lays before the Senate the unfinished business, which the clerk will state.

The BILL CLERK. Calendar No. 996, Senate Resolution 266, a resolution to provide standards of conduct for Members of the Senate and officers and employees of the Senate.

The Senate resumed the consideration of the resolution.

Mr. BYRD of West Virginia. Mr. President, under the order entered on yesterday I believe the Senator from Ohio is to be recognized.

The ACTING PRESIDENT pro tempore. The Senator from Ohio is recognized.

Mr. YOUNG of Ohio. Mr. President, the members of the Select Committee on Standards and Conduct are to be commended on their proposals for standards of conduct for Members of the Senate and employees and officers of the Senate. I agree with those proposals in every respect as far as they go, with the exception of that provision barring public disclosure of financial statements.

The committee recommended that the reports of financial income be filed confidentially with the Comptroller General to be opened only if the committee should so rule by majority vote at some future time. Unfortunately, from past experience it can be expected that no such report would come to public attention unless the committee were investigating a major scandal involving a U.S. Senator, such as was the situation in the last year or so. The fact is that reports held in confidential files are of little value in policing possible day-to-day conflicts of interest.

The members of the Select Committee on Standards and Conduct are six of the most eminent Senators of the United States. Each is highly respected for his integrity. Every Senator in the Chamber knows, without exception, that the six members of the committee were carefully selected. Their total years of service in the Senate is impressive. Each of the committee members has proved himself over the years to be a fine, dedicated public servant with a background of distinguished service to his State and to the Nation. All Senators have the highest admiration and regard for the members of the committee. Their recommendations will go far toward assuring proper standards of conduct of Senators, their employees and employees of the Senate. However, I am in agreement with the distinguished junior Senator from Kentucky [Mr. COOPER] that, in order to complete the outstanding work of the committee, the Senate should require that disclosure of financial interests be made available to the public.

In my considered judgment, honesty is easy to define. Thousands of years ago, the Almighty gave Moses the Ten Commandments, establishing for all time proper and adequate rules of conduct. It is unfortunate that thousands of years later it has become necessary for the Senate and the House of Representatives to create a Select Committee on Standards and Conduct and an Ethics Committee to define proper and improper conduct of their Members. More than 180 years have elapsed since those great patriots wrote the Constitution of the United States. For many, many decades no such special committees were created in either branch of the Congress. For many years no one even suggested doing so. It is regrettable that in recent years it has been deemed necessary to provide such committees.

As far back as 1951 a Senate subcommittee under the chairmanship of Senator Paul Douglas, one of the great Senators of all time, reported to the Senate:

> Disclosure is like an antibiotic which can deal with ethical sicknesses in the field of public affairs. There were perhaps more general agreement upon this principle of disclosing full information to the public and upon its general effectiveness than upon any other proposal. It is hardly a sanction and certainly not a penalty. It avoids difficult decisions as to what may be right or wrong. In that sense it is not even diagnostic; yet, there is confidence that it will be helpful in dealing with many questionable or improper practices. It would sharpen men's own judgments of right and wrong since they would be less likely to do wrong things if they knew these acts would be challenged.

Mr. President, that statement is as true today as it was then. The fact is that if Members of the Senate were to disclose publicly their income, assets, liabilities, and other pertinent information concerning their financial condition, it would enable the citizens of each State to decide whether or not a Senator's vote in any instance was determined by a desire for personal gain. The public could then call to account a Senator if it appeared that his financial situation, as disclosed, had resulted in a vote, an attitude of mind, or a position on the floor of the Senate or in committee inconsistent with his duty to his constituents and his responsibility to the Nation.

Mr. President, it so happens that I am the very first Member of either branch of Congress fully to disclose to the public his entire financial assets, holdings, and earnings. I did this first in 1959, and have repeated it every year since.

In 1957, I decided to become a candidate for U.S. Senator in the State of Ohio. The Republican incumbent was U.S. Senator John W. Bricker. He had never been defeated for public office in the State of Ohio. He had been attorney general of our State for a number of terms, and on three occasions was elected Governor of Ohio. In 1944, Senator Bricker had been the Republican nominee for Vice President of the United States. It was considered that he could not possibly be defeated for office in the State of Ohio.

However, late in 1957, I announced my candidacy for U.S. Senator and began to campaign throughout Ohio. Apparently, no one fancied that I had much of a chance. There was no thought even given to holding one of those $100-a-plate appreciation banquets in order to raise a campaign fund for me. I am fearful that had a price tag of $25 a plate been fixed, there would have been no attendance to justify holding such a banquet. I campaigned vigorously throughout the State and I won the Democratic nomination in the primary election of May 1958.

Following the Democratic primary in 1958, I came to Washington in high good spirits and called upon the chairman of the Democratic National Committee, at that time Mr. Paul Butler. I had hoped that perhaps now that I was the nominee of my party for U.S. Senator, there might be some financial assistance given me by the national committee.

Having made an appointment with Mr. Butler, I went to his office at the appointed time. I was kept waiting in the corridor for about an hour, but, finally, was admitted to his office. When I identified myself and stated my purpose, Mr. Butler looked me squarely in the eye, in a manner, I suspect, as an Alabama banker would look at a Negro sharecropper who was seeking a loan, shook

his head very definitely, and said, "No." He turned me down very coldly.

I left his office somewhat crestfallen. His parting words to me were—and, this was in 1958, "Mr. YOUNG, you are too old to campaign for U.S. Senator. You should be thinking about retiring."

It makes me sad to have to say so, but it happens that Mr. Butler, who was much younger than I, unfortunately died in the early 1960's. Although I did not receive any aid at that time, I admired him as a good national chairman and regretted his passing. On the other hand, I am glad to be here as a U.S. Senator, serving my second term.

As I have said, it happens that I was the first Member of Congress in the history of this Republic to make a full and complete disclosure of his financial holdings and assets. I did that in a letter to the Secretary of the Senate, the Honorable Felton M. Johnston, early in 1959, and authorized him to make my letter public. Annually, since that time, I have repeated the process, making full and complete disclosure of all my financial holdings, income, and debts, if any.

On every occasion I have authorized the Secretary of the Senate to disclose my letter, so that the general public could examine it. It has annually been published in Ohio. Also, in years since, I have disclosed publicly a copy of my income tax return for the preceding year.

To come back to the reason that motivated me in doing so, I will try to be brief in explaining it. Let it be understood, Mr. President, that following the time I made that complete disclosure in 1959 which I have repeated each year thereafter, I have never acted as a crusader on this subject nor regarded myself as a crusader. It has always appeared to me that this was a matter of conscience on my part. It was a matter of doing what I said I would do, and that was that.

In 1954 the great St. Lawrence Seaway project had been voted on in both branches of the Congress of the United States. We in the Middle West, Mr. President, as you know full well, are proud of the great St. Lawrence Seaway. We knew that that seaway would do a great deal for the Middle West and for America, and give us another seacoast, you might say.

Every Republican Member of the House of Representatives from Ohio, and every Democratic Member of the House of Representatives from Ohio voted in support of the St. Lawrence Seaway. In the Senate of the United States, Senator Taft, of Ohio, voted for it and spoke in favor of it. Of the entire Ohio delegation, only my opponent, Senator John W. Bricker, who was termed "Honest John," was against it.

By the way, when former President Truman came into Ohio in 1958, he campaigned for my election to the Senate. In large part, I owe my election in 1958 to President Truman. I remember on one occasion he said, "When you find a politician referring to himself as 'Honest John,' run home quick and lock the henhouse door." That was helpful to me.

In the campaign, I learned that my opponent had organized a law firm on the day he became a Senator of the United States, and that his law firm represented the Pennsylvania Railroad and other great railroad corporations of the country. Of course, the presidents of those corporations were unalterably opposed to the creation of the St. Lawrence Seaway. My opponent voted against the St. Lawrence Seaway.

Throughout Ohio, night after night, in meeting after meeting, I denounced my opponent for his vote against the St. Lawrence Seaway at a time when all Republican Members and all Democratic Members of Congress from Ohio and also his colleague, Senator Taft, spoke out in favor of it. He voted his selfish personal interest as his law firm represented the Pennsylvania Railroad, the New York Central and other railroad corporations, and I charged that this was a classic case of conflict of interests.

I denounced that vote in every place I spoke in the State of Ohio during the course of my campaign. In doing so, I made one promise to the people of Ohio. I said repeatedly, "Please elect me as your public servant in the U.S. Senate. If I am your U.S. Senator, I promise you that I will give up my private practice of law. Over the years I have been chief prosecuting attorney of Cuyahoga County, and following that, I have enjoyed a lucrative trial practice for many years. I have an established law firm. But if I am elected Senator, I will close my law firm because I do not want any thought, any whisper, of a conflict of interest."

On December 15, 1958, I closed my law firm.

A reporter from the Cleveland Press came over and wanted to take a picture of me scratching my name off the law firm door. I said, "No, I am not a Calvin Coolidge. I am not wearing any Indian bonnet. As a matter of fact, I do not want any publicity. I have arranged for the building to take my name off."

The truth is that when they took it off, I felt rather sad; but I had made that commitment, and I had also made the commitment in the course of the campaign that I would fully disclose my assets. In fact, as I happened to be appointed to the Senate Committee on Agriculture and Forestry, and that committee had sugar legislation before it, I sold a number of shares in South Puerto Rico Sugar Co., and took a financial loss.

Looking back on it, I know that was an unnecessary loss, and I should not have done it, because if a Senator fully and publicly discloses his financial holdings, then the citizens he is representing in Washington are able to see for themselves and determine for themselves whether or not any of his votes are actuated by selfish motives.

I have filed a complete statement of my financial holdings and condition during the past year, and every year since 1959. That is a practice I said I would follow, and I have done it, and I intend to continue to do it.

In my letter of this January to the Secretary of the Senate, I fully disclosed my income during the entire year 1967 and the sources of my income in addition to my salary, and then I stated to him that as soon as my income tax for the year 1967 was completed—and it is in process of being completed—I would then make it public and send him a copy of it.

The proposal before us does not require that. The resolution offered here should have the support of the Senate. However, it is time that we ourselves recognize that public disclosure is by far the most practical and least painful way of maintaining the confidence of Americans in the integrity of their Government.

I am hopeful that the committee recommendations will be amended in the Senate to assure that such disclosures will be available to the public. I feel personally that Americans have the right to full knowledge of the economic interests and financial activities of those who represent them in the Senate of the United States.

By the way, Mr. President, I stated that had I held an appreciation banquet in 1958, I am sure it would have been very poorly attended. However, on September 14, 1963, an appreciation dinner was held for me in Cleveland. Frankly, I had a hand in organizing that dinner, and it was handled by political friends who had supported me in 1958 and who had hoped that I would run for reelection in 1964.

At the appreciation dinner nothing was said about campaign purposes. Although I paid out from my own funds more than $45,000 for my campaign in 1958, there was no suggestion of reimbursement for that. The invitation merely said:

> Senator Stephen M. Young Appreciation Dinner, September 14, 1963, Grand Ballroom, Sheraton-Cleveland Hotel.

There are 100 stars on that invitation. My committee, for some reason or other, put a white star in the center. I suppose, perhaps, I am assumed to be represented by that white star, among the other 99 stars.

Mr. President, I am glad to say that my personal friend, former President Harry S. Truman, very generously came to Cleveland from his home in Independence, Mo., and was the featured speaker at that banquet. I remember that President Truman was asked at a press conference preceding the dinner "Does Senator YOUNG expect to be a candidate for U.S. Senator next year?" He replied, "Well, I would not have come here from Missouri unless I had believed that Senator YOUNG would be a candidate for reelection next year."

The dinner was a success from a financial standpoint. Net proceeds of $78,000 were derived from that dinner meeting. It was difficult to find in Cleveland the president of a bank who was also a Democrat, but we found one. George Herzog, then chairman of the board of the Union Commerce Bank, became treasurer of this fund. The entire net proceeds of $78,000 were deposited in the Union Commerce Bank. It was stipulated that every check for a payment out of that fund must be signed by three persons—by George Herzog, the treasurer, and by two other prominent Democrats in Ohio.

That $78,000 was entirely used in my campaign of 1964.

It seemed to me then, Mr. President, and it seems to me now, that this is the logical and proper way to conduct a fundraising affair for a political candidate. I knew that I had no right whatever to appropriate any of that money for my own uses and purposes. I feel that any man or woman who is elected to the Congress of the United States must certainly know the difference between right and wrong.

Mr. President, I believe we have made progress in the Senate in coming forward with this report and with the resolution that we are now considering. The committee's requirement of these two financial reports from Senators, however, can scarcely be called a real disclosure policy, as only one of the the reports would publicly show campaign contributions, honorariums, and gifts, and then only those of more than $300. There would be no public disclosure of the other financial statement.

A few minutes ago, I referred to former Senator Paul Douglas, one of the great Senators in the history of our country. He established a rule that he would not accept gifts of a value in excess of $2.50. Frankly, I have made a rule, which I have lived up to, fixing a valuation of $5—not $2.50—as the maximum value of any gift that I will accept.

In that connection, I have said, somewhat facetiously but truthfully, that since it happens I rather like the taste of Canadian liquor, or the taste of bourbon, that I have fixed and established that every gift of a bottle of bourbon or Canadian liquor has a value of $4.99, and is acceptable to me as a gift; and I have proceeded on that theory.

I do not necessarily advise that practice for others; but I praise the resolution and the report of the Committee on Standards and Conduct in its effort to establish rules to guide and be helpful to Senators.

I feel that this resolution deserves the support of all Senators regardless of party. I hope that this matter can be debated further and that any amendments that are offered will be seriously considered and debated.

Although I do not regard myself as any crusader on this subject, I know that it made me feel better when I did what I thought was right. I am not going to be critical of any of my colleagues who are members of law firms in their home cities. I have confidence that every one of them is serving unselfishly in Congress.

I will take any 100 Members of either branch of the Congress and put those 100 Congressmen alongside 100 directors of the greatest corporations of the United States, and for integrity and honor I will go along with the Congressmen.

I have that confidence in my colleagues. I am glad that we are going to have a full and complete debate on the measure.

Recently I received some information that a new book entitled "The Case Against Congress" by Drew Pearson and Jack Anderson was about to be published and advertised by the publishing firm. I should have written the publishers that the members of the Senate Select Committee on Standards and Conduct are entitled to congratulations for scooping the authors of that new book. It seems evident the Senate committee moved with somewhat more than deliberate speed, to use a phrase from a decision of the U.S. Supreme Court, and we are now debating their report and the resolution they submitted before that book is on sale. They beat these nationally known columnists and their publishers to the punch, as the expression is. The present resolution certainly deals with problems that have been very much on the minds of Senators and Representatives in Congress during the past 2 years.

I again praise our distinguished colleagues who serve on this select committee. I intend probably to vote for some amendments and, after the matter has been fully debated, I intend to vote in support of the resolution.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ERVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESS BY SENATOR JACKSON AT THE JEFFERSON-JACKSON DAY DINNER AT RALEIGH, N.C.

Mr. ERVIN. Mr. President, on March 9, 1968, the distinguished junior Senator from Washington [Mr. JACKSON] delivered the Jefferson-Jackson Day dinner address to approximately 2,000 North Carolina Democrats in meeting assembled at Raleigh, N.C.

The junior Senator from Washington made a most eloquent address to the North Carolina Democrats on that occasion. His address merits wide dissemination. For that reason, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR HENRY M. JACKSON TO THE JEFFERSON-JACKSON DAY DINNER, RALEIGH, N.C., MARCH 9, 1968

I am pleased to be here in North Carolina to pay my respects to your great State, to your great Democratic Party and State Administration—and to my Democratic colleagues from North Carolina in the Congress of the United States. No delegation commands greater respect in the halls of Congress.

You know, there are so many Tarheels in the State of Washington, and so many of you have family members in my State that I feel I can accomplish a little personal "politicking" down here. In fact, I'm not sure some of you don't vote in both places. Remember me in 1970, will you?

Your dinner chairman, Mr. Smith, tells me that Seattle was his father's home, and he still has family connections there. I know your good Congressman Roy Taylor was born in Vader, Washington. We all know Vader—it's just off the main road from Castle Rock to Winlock, and not far from Dryad, Dotty and Pluvius. Now how did a city boy like you ever settle down in Black Mountain, Roy?

Your United States Senators are men of great influence. They are also admired and held in great esteem and affection by their fellow Senators.

Sam Ervin is recognized in the Senate as a great lawyer and as an expert on the Constitution of the United States. Indeed, he has been a leader in the Senate in upholding and defending the Constitution, just as he has defended and served our country through many years of public service in war and peace. He earned the nation's second and third highest awards for valor in combat and he has earned the right to many more honors for his public service since.

As a ranking member of the Judiciary Committee, he has been a guardian of constitutional rights. He has authored and secured approval in the Senate of bills to secure the constitutional rights of Federal employees, and the rights of the mentally ill. He co-sponsored Federal Acts for the enforcement of criminal laws and the rehabilitation of narcotics addicts. He is the author of the Bail Reform Act. I was proud to support the Ervin amendment to authorize suits in Federal court testing the constitutionality of aid to private schools.

Sam Ervin has been a fighter for North Carolina in the United States Senate—for your textile industry, for your agricultural interests.

I am privileged to share many moments with him in the Senate. We serve together on two important committees—Armed Services and Government Operations.

Sixteen Senators are Chairmen of standing committees of the Senate. Everett Jordan is one of them. But he is in a special position as Chairman of the Rules Committee. The rest of us go to him for approval of resolutions authorizing activities by our Committees—so you can see that Everett Jordan has a special place in our hearts. He has always been very fair to me, and I am grateful to him. Everett Jordan is also in a key position on two other Committees whose work is of great importance to our country and to North Carolina—the Agriculture and Forestry Committee and the Public Works Committee.

You have a great team working for you in the House of Representatives.

L. H. Fountain, the dean of your delegation—I have the honor to work with him on many occasions when we have Conference meetings of the House and Senate Government Operations Committees.

Alton Lennon—with whom I served for two years in the Senate before he went to the "other body."

Basil Whitener—your respected representative on the House Judiciary Committee.

Roy Taylor of Vader, Washington—Roy is Chairman of the Subcommittee on National Parks and Recreation. I want you to know how grateful I am for all I hope he is going to do for me on a couple of my bills pending before his Subcommittee.

David Henderson—he was a staff member of the Education and Labor Committee in 1951 and 1952, the last two years I served in the House of Representatives. Now he serves you well as a distinguished Congressman.

Horace Kornegay will be missed in the Congress. Permit me to wish him well in his new endeavors.

Walter Jones and Nick Galifianakis are your newest Representatives—and have already made their mark.

How proud you can be of all these men.

Permit me to express thanks from Mrs. Jackson and myself for the gracious hospitality extended to us today by Governor and Mrs. Dan Moore. It has been a wonderful day in this beautiful city.

I will speak first about a burden we all bear, a problem with no end in sight, a situation we can expect will get worse before

it gets better—and that is the quality of television programs.

This is a crisis which challenges our political leadership. I propose that some of our leading politicians personally step into the breach and attack the entertainment gap. So many actors have been taking the place of politicians lately, it seems only fair that politicians have a chance to take the place of actors. Perhaps it could develop into permanent exchange program, although we must keep in mind the old axiom that while all politicians make good comedians, not all comedians make good politicians.

Here is my proposed TV Guide:

First, I think Mayor Lindsay and Governor Rockefeller are best experienced to take over for the "Smothers Brothers." They could also do an outstanding job on "Rat Patrol."

For "Lost in Space" the obvious choice is George Romney—although he will also be in great demand for "Get Smart."

I may be accused of type-casting, but I am convinced that Richard Nixon is the man for "Mission: Impossible"—or maybe for "Flipper."

Two old favorites show up on my schedule: Harold Stassen in "Run for Your Life"—and Barry Goldwater in "Cowboy in Africa."

Everett Dirksen and Jerry Ford are slated to replace "The Monkees"—on condition that Senator Dirksen will also consent to fill in for "Captain Kangaroo."

Finally, the entire Republican National Convention will be featured on "Voyage to the Bottom of the Sea."

I must explain that I have been unable to line up any Democrats for individual starring roles. We are all booked solid for "Wild Kingdom."

Oh, I almost forgot—in a rather unusual switch, "Death Valley Days" is going to be the summer replacement for the Governor of California.

So much for the "entertainment gap." Now let me suggest we work on eliminating the "memory gap."

We Democrats have gotten so used to accomplishing things that we allow people to forget what has been done.

Well, let's just stop a minute and remedy that. Let's enjoy the pride and personal satisfaction of recalling just a little of what we Democrats have accomplished—just lately.

We want the best education for every American child. So we passed historic education legislation. The Federal Government has invested twice as much on education since 1963 as in the whole previous century.

Last year 9 million children in our country were helped in securing a better education because of the Elementary and Secondary Education Act of 1965. Aren't the Republicans interested in education? Sure they are, but three-quarters of the Republicans in the House of Representatives voted against aid to elementary and secondary education. We Democrats passed it.

We also sponsored and passed aid to *higher* education. A million and a quarter low-income students are in college today because of our Democratic grant and loan programs.

We want to protect the health of our people and assure proper medical care for older citizens. After a 20-year struggle we passed Medicare. Today, decent medical care is the right of almost 20 million older Americans. Seven and a half million senior Americans received care under the program last year. Well, aren't the Republicans interested in the health of senior Americans? Sure. But 93 per cent of them voted against Medicare in the House of Representatives.

We Democrats are serious about improving the health opportunities of all Americans. The national investment in health is now three times what it was in 1964.

We are also serious about maintaining prosperity. We have now seen 83 months of unbroken economic expansion. Unemployment is at its lowest point in 15 years. The national income grew three times as fast between 1961 and 1967 as it grew in the preceding five years. Real personal incomes grew more during any *one* of those years than in the five years from 1956 to 1961 put together.

And taxes are down. Don't let anyone forget that we Democrats were responsible for the biggest tax *cut* in history. Even if we have to pass the temporary tax increase President Johnson has requested to meet our commitments at home and abroad and keep our economy in balance, Federal taxes will still be lower than what they would have been at the 1961 rates—the rates the last Republican Administration left us.

We have a lot more to do in America. We're not resting—not we Democrats. In 1967 our Gross National Product grew about $43 billion. In 1968 it will grow over $50 billion. We know we can afford to do what has to be done.

We also know there is a lot we can't afford in our country. We can't afford poor schools—we can't afford neglected children—we can't afford inadequate housing for our families—we can't afford opportunity denial.

Today, too many Americans haven't made it. They and their families are stuck with the short end of our country's great prosperity. The people who collect statistics tell us that 34 million Americans exist on less than the minimum needed for an adequate standard of living. These people are down—and they must get out.

Some of these people are black, some are white, some are Indian, some Puerto Rican—it's not just a Negro problem or a white problem, although it's often described that way. The problem is that a lot of people—for one reason or another—don't get an even break from the moment they come into this world.

Well, we're changing that. Our goal is that every child will have a real chance to make the best use he can of his God-given talents. Whatever it takes to do it, we are going to make that true in America.

Nationally, we have already accomplished much. In the last four years some 6 million Americans have beaten the statistics—they have risen above that poverty level. Since 1960, the number of Negro families earning more than $7,000 a year has more than doubled.

Here in North Carolina you have accomplished a great deal. Quietly, unobtrusively, and with much good will on all sides, you have made strides in providing equal opportunities for all.

But when we make progress, some people get very upset. They say: "You're stirring up trouble. These people will never be satisfied. Once they get a little something they want more."

Well, that's true. Isn't it true of us all?

Sure, when we raise people's hopes, we run the risk of dissatisfaction. People with hope are no longer satisfied to endure in silence the lot of the hopeless.

But isn't that what we Democrats have always done? Raised the hopes of people and made those dreams come true.

That is still our mission, and when it isn't the Democratic Party will have ceased to exist.

When that happens, people will be content with the Republican Party—for they have promised nothing, and they have always delivered on that promise.

Despite the foot-draggers and the doomcriers we Democrats are attacking the problems America faces—slums—rural poverty—crime—the destruction of our healthy environment—decay in our cities—discrimination—inequity for the American farmer.

President Johnson has challenged the Congress to act now to meet some critical needs:

A manpower program, enlisting private enterprise to wipe out hard-core unemployment;

A housing program that will mean a six-fold increase in low and middle income housing over the next decade;

A child health program;

Protection for the American consumer;

Drug control, to "stop the sale of slavery to the young";

A farm program to help farmers bargain more effectively for a fair share of American prosperity.

If we fail to accomplish this for America in this Congress, it won't be because of the state of the economy, it won't be because we can't afford it, it won't be because of Vietnam—it will be because in 1966 we lost 47 seats in the House of Representatives to the people who promised nothing and deliver the same.

Let's remedy that in 1968. Don't let our country slip back. Give us more Democrats in Congress. Re-elect the Johnson-Humphrey Administration. Keep building a better America.

And make no mistake about it. We won't be able to keep building a better America here at home if we duck our responsibilities abroad.

We know that our fate is bound up with the fate of other free peoples. Time and again we have taken our stand beside those who have been threatened with subjugation.

America stands for a world in which freedom is perpetuated. We have fought two World Wars on that account. This was the essential basis of the Marshall Plan and NATO. It was the essential basis of the Korean War. It was the essential basis of the SEATO Treaty. It is the essential basis of the stand we and our fighting men are making in Vietnam.

The defense of free peoples against aggression has been a keystone of our foreign policy under four Presidents of both parties since World War II. That policy has caused us to take on great responsibilities and bear great burdens. Right now we are being tested as never before.

Our country is prosperous and powerful. But there are those in Hanoi who are betting that our very affluence weakens our resolve. They are counting on our free debate to magnify doubts and uncertainties—to cause our commitment to crumble.

Vietnam may be only one testing ground in a restless and dangerous world where a fresh crisis arrives as regularly as the morning paper and the evening news. How we as a people conduct ourselves under the strain of such pressures will be decisive. On this depends our survival in freedom and our chance to leave to our children a better America in a better world.

And we are showing the signs of strain. Some Americans are engaged in constructive criticism and debate of our policies. But some people are engaged in nothing less than the slander of America.

If anyone has a constructive suggestion to make on Vietnam policy, he should put it forward, so that it can be looked at hard and thoughtfully in an effort to understand its consequences—its pitfalls as well as its possibilities. But one shouldn't kid oneself or others, by passing off breast-beating and hand-wringing as a contribution to policy-making. Nervous prostration is not a policy. Nor are bald-faced political appeals unsubstantiated by the remotest hint of a plan—like "I will end the war."

I do not think our country is suffering from any "arrogance of power." We do have to endure the "power of arrogance" exercised by some of the critics.

One of the disturbing features of the discussion of American policy in Vietnam is that so many of those who fret about it cannot see beyond Vietnam itself. The importance of our effort in Vietnam can be understood only in the perspective of our foreign policy as a whole.

In Europe, we and our allies have succeeded in creating a reliable balance of forces. The independence and freedoms of Western Europe rest on this balance. In Asia, we and our friends and allies there are seeking, with far greater prospects of success than is recog-

nized by those who cannot see beyond Vietnam, to create a reliable equilibrium of forces. If we succeed, the benefits will accrue not only to all the non-communist countries of Asia but also to ourselves and to our European allies.

The importance of Vietnam must be judged in the context of Asia as a whole, and of the threatening and competing aspirations of the Soviet Union and Red China.

Is there any doubt that an American withdrawal from Vietnam or a humiliating compromise would open the doors to a vast extension of Chinese and/or Soviet influence in Asia? In that event, is it realistic to think that American commitments in Asia would decline? I do not believe so. On the contrary, I believe we would be called upon to extend our commitments on an even greater scale to many other areas, from Thailand to the Indian Ocean and to the Philippines.

It is false and misleading to assert that our country must choose between our important international responsibilities and our domestic ones, between the search for a stable and meaningful order in Asia and the search for justice and urban improvement at home. Obviously, the resources and capabilities of this nation are limited. We must use our power in accordance with a responsible ordering of our national interests. But this doesn't mean that in order to deal constructively with urgent domestic problems, we have to revert to the isolationist views which encouraged the outbreak of World War I and World War II.

In closing, let me say this: Our debates and discussions here at home have been mainly over how the war should be fought and how to move the conflict from the battlefield to meaningful negotiations. Sometimes obscured in the arguments over this or that tactic is the fact that no substantial or respected body of American opinion advocates retreat from Vietnam or an abandonment of Asia.

The North Vietnamese—and the Chinese and Russians too—should not be misled by our free debate. We will keep disputing over the means, but the overwhelming majority of the American people are determined that the end of the conflict—although it may not be easy or early—will be an honorable one.

EMPLOYEE PRIVACY, SICK LEAVE INVESTIGATIONS, AND S. 1035

Mr. ERVIN. Mr. President, commonsense is today the most vital and often the most rare ingredient in the operation of our Federal Government. This is particularly true in Government's relationship with those 3 million citizens who work for it. Commonsense should tell administrators that the entire Federal service will suffer when they allow actions which erode the dignity of civil servants, which invade their privacy, or which result in unfair decisions affecting their employment opportunities.

Extensive privacy-invading investigation of employees who use their sick leave is an area which is sadly in need of commonsense.

Certainly, if an employee tells his supervisor he is sick, if he produces a certificate from a qualified medical doctor that he has been ill, that should be enough. Yet it is not enough in some agencies. Investigators may go to a sick employee's dwelling to see if he is really sick. In one case reported to the subcommittee recently, they acquired a key from the apartment-house manager and were entering the employee's apartment as he arose from his sickbed to greet them.

In other cases, agency inspectors called the employee's doctor to verify his story; in some agencies, it is the practice to compel him to sign a form surrendering the confidentiality of his medical records and giving inspectors a fishing permit to examine his medical records and discuss the details of his case with his doctors.

Here, for instance, is a form used by the Agriculture Department:

To whom It May Concern:

I, ———, an employee of the United States Department of Agriculture, hereby authorize the bearer, a Special Agent of the Office of the Inspector General, United States Department of Agriculture, to examine and obtain copies of any and all medical records pertaining to my medical history for the period(s) ——, to include but not be limited to records of physical examinations, clinical diagnoses and prognoses, and medical and surgical treatment received by me.

This letter further authorizes any medical doctor, or any other person, in possession of any of my medical records to make such records and information available to and discuss my medical history with any Special Agent of the Office of the Inspector General, United States Department of Agriculture, for the period(s) specified above.

This authorization is given freely and voluntarily by me, knowing that the information obtained may be used in evidence.

Signed _____.
(Employee's Name.)

In connection with the subcommittee's study of privacy in personnel investigations, the Civil Service Commission has supplied a policy statement on sick leave investigations. According to this report, the Commission places no controls on these investigations, but it believes that "only in a very small minority of cases is there justification for alleging abuse."

Mr. Macy states:

The Commission's regulations do not place any limits on the investigation an agency may make to establish that an employee was actually incapacitated during a period for which he has applied for sick leave, and they contain no provision requiring that an agency accept doctors' certificates as establishing that fact without question. The reason is that only the employing agency is close enough to the immediate situation to be in a position to control abuses. We believe that in only a very small minority of cases is there justification for alleging abuse, but do not believe that the Commission should tie the hands of the agencies when they have reason to believe investigation is necessary.

It is certainly not customary—

Mr. Macy tells us—

to question medical certificates although there have been a few instances in which agencies have done so.

It is clear that the Department of Agriculture has exceeded the bounds of commonsense in some of its recent investigations of sick leave of seasonal employees. Even when an employee has produced a valid certificate of illness from a qualified doctor, or when he has undergone an operation in a hospital, they feel it necessary to investigate the truthfulness of his claim. Such suspicion of its employees ill becomes an institution of the majesty and size of the Federal Government. Certainly, it cannot enhance its image in the communities where these practices occur.

One agriculture employee writes:

There is one other thing that I wish to call to your attention. According to a diagnosis made by two qualified medical doctors, I have been suffering with a channel ulcer for more than a year. During January and February this condition caused me much distress and pain. One week after I returned home, I was advised by my doctor to begin taking sick leave and to go on a bland diet to try to overcome this condition. Also he wants me to have another x-ray made and to be examined by a doctor at Memorial Hospital in Chapel Hill, North Carolina. This is to determine whether or not it is desirable to remove this ulcer by surgery.

Therefore, I began using sick leave on March 4. The following morning, March 5, the investigator for the Inspector General's office, called on me at my home. He wanted me to sign a paper, which I gladly did, giving my doctor permission to divulge to him any and all information pertaining to my illness. Also, he wanted to see the bottles of medicine that I am taking. He also called on two of my neighbors and asked them questions about my physical condition and also about my personal financial circumstances. As neither of these neighbors is a doctor or banker, I don't believe they could give him much information. But this could cause me considerable embarrassment and create a lot of small town gossip.

I do not believe that this kind of harassment will do me much good in my efforts to overcome the effects of this ulcer.

I do not believe that the Tobacco Inspection Service can long continue to render a quality service to the tobacco growers when the men are forced to work and live under such deplorable and degrading conditions.

I wanted to bring these matters to your attention because I believe they are right in line with what you have been working on. I am sure that all Civil Service employees appreciate your efforts in their behalf.

When one of these cases from the Agriculture Department was called to his attention, the Chairman of the Civil Service Commission not only told the Agriculture Department that they should abolish the form, but also, he rendered an opinion which should be a commonsense guideline for all Federal administrators on this matter. He comments:

As the facts given in this case do not indicate any reason for the kind of investigation described, the Commission's staff checked informally with the personnel office of the Department here for whatever information might be available. It was found that the investigation of Mr. ———'s leave was part of a general investigation the Department made of sick leave used by seasonal employees which continued their pay status into what would have been a part of their unpaid furlough.

When an employee becomes incapacitated before a furlough, the employing agency may, although it is not required to, continue the employee in pay status for the period of incapacity if he has sufficient unused sick leave. The Department of Agriculture follows the policy of so continuing the pay status of incapacitated employees. Apparently the general investigation in question was initiated because the Department found an unusually high proportion of seasonal employees were applying for sick leave covering a period of furlough. Mr. ——— was included in the investigation because of the dates of his sick leave.

Although I would not question the Department's right to make a general investigation under the circumstances, I consider the authorization form it used to be inappropriate, and have written to the Secretary of Agriculture recommending that its use be stopped. I see no need, even in cases in which an agency feels it necessary to verify an alleged illness, for an investigator to examine and obtain copies of all medical records and to discuss the employee's medical history with his physician. In the rare instances in

which an agency might be justified in asking for the kind of medical details referred to in the authorization form, those details should be received only by a medical officer.

This policy statement should become the order of the day in the Federal Government. It will encourage administrative respect for the privacy of the individual, and further the goals of Government as an employer.

The fact that such practices exist, however, and that it requires congressional intervention to cut through the morass of redtape in such cases, illustrates the need for early passage of S. 1035, to protect the constitutional rights of Federal employees and prohibit unwarranted Government invasions of their privacy.

This truth was recognized by the Federal Tobacco Inspectors Mutual Association at their annual meeting held in Raleigh, N.C., on Saturday, March 9. They approved a resolution stating:

Be it resolved that the Federal Tobacco Inspectors Mutual Association endorses the provisions of Senate Bill 1035, to protect the privacy of employees of the Executive branch of the Federal government, and petitions the United States House of Representatives Post Office and Civil Service Manpower Resources Subcommittee to expedite consideration of this legislation vital to our nation's democratic processes and constitutional protections.

THE LABOR BOARD PLAYS THE OLD SHELL GAME

Mr. ERVIN. Mr. President, recently the National Labor Relations Board illustrated one of the many reasons Congress should be more active in its oversight of administrative agencies. Over the course of years since its creation, the Labor Board, like its sister agencies in other fields, has operated with little control by Congress and only intermittent supervision by the courts. Being largely free to interpret the laws according to its own special insight, the NLRB has developed a series of doctrines which one may call, speaking very generously, exceedingly peculiar.

One of the most peculiar is the confused and contradictory set of rules which prefer the use of authorization cards over secret elections to show that a majority of employees wish a particular union to represent them. I will not go into the many vagaries of this doctrine, now. The Subcommittee on Separation of Powers will consider that at great length in its hearing later this month on the Labor Board. But I wish to include in the RECORD an editorial from the Wall Street Journal of yesterday's date, outlining one of the more extraordinary results the Board has reached when applying its own peculiar interpretations of statutory law. I believe that when the Board can produce results like this, it is high time for Congress to take seriously its obligation to investigate the way in which the independent agencies are applying the law of the land.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LIKE THE OLD SHELL GAME

This particular labor relations case is almost as baffling as the old shell game, which over the years has befuddled so many rubes.

It involves the employes of two Nashville, Tenn., supermarkets, under one management. Now there are two ways an employer can be required to recognize that his employes want a union and hence be required to bargain with them. One is by a secret ballot election as provided by Congress. The other is by the use of "union authorization cards" as permitted by rulings of the National Labor Relations Board.

If a union can get a majority of a company's employes to sign authorization cards, according to NLRB policy it can demand that the employer recognize and bargain with it, dispensing with a formal election.

In the case of the supermarkets, the AFL–CIO Meat Cutters Union openly conducted an organizing campaign, demanding recognition and bargaining on the basis of signed authorization cards. When the employer, however, asked for an NLRB election, the meat cutters threatened to strike. So to avoid a tieup and all the legal fuss insistence on a secret ballot election would entail, the markets agreed to accept the signed cards as evidence of the employes' intentions, provided the cards were checked by an independent labor relations representative.

The check was made, the consultant reporting that the union had valid signed authorization cards from 42 of the 78 employes in the two stores. The employer therefore bargained with the meat cutters and signed a contract with them.

Now enters the AFL–CIO Retail Clerks Union. It seems that while the meat cutters were holding their organizing campaign, the retail clerks secretly were conducting a campaign of their own to obtain signed authorization cards and held cards from 15 of the 42 workers who had signed the meat cutters' cards. In short, some employes had signed cards of two different unions.

The NLRB then did the only thing it could do: It ruled that the 15 cards could not be counted for any union. That, of course, denied the meat cutters a majority. But the NLRB went further. Although it conceded that the employer, unaware of the duplications, had acted in good faith, the board held this was immaterial and charged the employer with granting recognition to a minority union and hence with violation of the labor laws.

Plainly, when an employer unwittingly can get himself into such a position, the NLRB's policy of permitting union recognition through the signing of cards ought to be thrown out, and all recognition and bargaining cases resolved by secret ballot as Congress intended all along. Otherwise, how is an employer to know under which shell a union is hiding the pea?

RECESS

Mr. ERVIN. Mr. President, I move that the Senate stand in recess until 1:30 p.m.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 1 o'clock and 1 minute p.m.) the Senate took a recess.

The Senate reassembled at 1:30 p.m., when called to order by Mr. RANDOLPH.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the order for the quorum call be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE GOLD CRISIS

Mr. SYMINGTON. Mr. President, as gold buying on the London market reached record proportions on Thursday, March 14, the Senate, by a margin of 39 to 37, voted to remove the 25-percent gold cover. At that time apparently the theory behind this administration request was that by freeing U.S. gold from reserve requirements, all the some $11.4 billion of gold bullion currently in the U.S. Treasury could be used to stem the speculation.

Previously, by the same narrow vote of 39 to 37, the Senate rejected an amendment that I both spoke for and voted for; which amendment would have prevented the exchange of dollars for our gold by foreign countries during the time their debts to the United States were in arrears.

If the misfortune of a monetary crisis has to occur, it would appear preferable to face it at a time when we have over $11 billion of gold bullion in the Treasury, instead of after our gold has run out. The latter possibility is far more than theory because, alone among the nations of the world, this Government continues to sell gold for $35 an ounce, far under the current market price.

Another problem incident to our having already lost over half of our gold in recent years—$13 billion—is the continuing deficit in our international balance of payments, a situation about which I have been speaking continuously on the floor of the Senate for many years.

In the first of a series of five Senate statements on the balance-of-payments problem made in 1963, I recommended a number of actions, including a long overdue substantial reduction of our troops in Europe. This has not occurred however; in fact, no truly effective steps of any kind have been taken in an effort to reduce this payment deficit. Since 1963, when I voiced my first warning, our gold supply has decreased many additional billions of dollars.

Over the past weekend, the seven members of the international gold pool met in Washington and agreed to establish a two-price system in gold transactions. Basically, they agreed that first, the price of gold for Government dealings would remain at $35 an ounce; second the price of gold in the private market would be determined by supply and demand; and, third, the central banks involved will no longer sell gold to private users, or to any central bank which sells gold on the private market.

The central bank of France, as well as the central banks of other countries not party to the agreement, can purchase gold from the U.S. Treasury at the official rate of $35 an ounce, provided there is no evidence of that central bank in question selling gold from its official reserves to private speculators.

The difficulty will be identification of gold in the private market that might have come from central banks; and as yet no "policing" system has been agreed to.

Some policing method would seem vital so as to assure that the $11.4 billion

of U.S. gold stock, recently made available as the result of the removal of the gold cover, does not end up in the hands of speculators.

Members of the banking and business communities of both the United States and Europe, however, view the actions taken this past weekend as no more than a prelude to the need for more meaningful actions on the part of the U.S. fiscal and monetary authorities to stem the further outflow of gold and thereby improve the balance of payments.

In this connection, one fact already stands out clearly; namely, the United States, although a strong nation, has limited resources; therefore priorities must be established. As example, there must be decision as to whether or not carrying out programs considered essential in this country and other countries are, or are not, more important than carrying out the present programs in Vietnam.

I do not believe that this economy can handle both; and it is now clear that words alone are no longer respected by our foreign creditors as a substitute for action.

In this connection, I ask unanimous consent that an article with a London dateline by Anthony Lewis from the New York Times of March 18, entitled "The Vulnerable Dollar," be inserted in the RECORD at the end of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SYMINGTON. Mr. President, this matter is one of considerable importance to every American. As evidence of that fact, I ask that a column by Sylvia Porter, entitled "On the Dollar-Gold Crisis," also be inserted in the RECORD at the end of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

[From the New York Times, Mar. 18, 1968]

THE VULNERABLE DOLLAR: EUROPEANS GRIMLY SATISFIED BY REALITY THAT EVEN U.S. POWER HAS LIMITATIONS

(By Anthony Lewis)

LONDON, March 17.—In Europe this weekend there can be detected, along with deep uncertainty and fear about the future of the world monetary system, a certain grim satisfaction.

The satisfaction stems from the present demonstration that the United States is vulnerable to economic realities just as other countries are. The feeling to some extent reflects envy, which is hardly surprising. Europeans have seen their currencies tremble so often while the American dollar stood apparently unshakeable. Now the dollar is in trouble.

But more than envy is involved. Among financial experts here and on the Continent there is a strong belief that Americans must learn to accept the fact that there are limitations even on the power of their country.

Bankers and Treasury officials on this side of the Atlantic see this possible value in the current bitter lesson for the United States, and not because they are anti-American—far from it. Rather, they think Americans have been far too slow to recognize the gravity of the threat to world finance and to recognize their responsibility for it.

The Sunday Times reflected this today. "British economic incompetence somewhat pales," it observed, beside American "insouciance in face of the threat to the dollar."

IMPACT ON CONFIDENCE

In London and Zurich—not just in Paris—financial leaders have harsh words for the economic policy of the United States. They have been particularly troubled by the seeming indifference over a long period to the impact on world confidence of the continuing United States balance-of-payments deficit and gold drain.

The war in Vietnam is the largest single cause of concern in the European financial community. The feeling is that the American Government has never faced up realistically to the cost.

It was nearly two years after the major escalation of the war started in 1965, the financial experts note, before President Johnson even asked for a tax increase. They are astounded that the United States can continue intensifying the war while failing to raise taxes, and still enjoy the most lavish domestic consumption in the world's history.

EFFECTS ON OPINION

Even now, with the monetary crisis at hand, the Europeans are not sure that the President and his advisers are sufficiently aware of the effects on financial opinion of what they do in Vietnam.

A Johnson Administration's decision on a moderate increase in American troop strength, perhaps 35,000 to 50,000 men, was reported over the weekend. With sensitivities as they are here, the cost of even that could wipe out—in confidence—the benefits of severe spending cuts and a tax increase if the President finally gets one from the Congress.

But the concern here about the attitude of the United States toward the developing financial crisis in recent years and months goes beyond President Johnson to the American people. The impression is that Americans wanted to believe that they could go on living better than any people in history, that the dollar could never be dethroned and that the rules of monetary discipline did not apply to the United States.

DESTROYING ILLUSIONS

If so, the experience of the last week may in the long run have the favorable effect of destroying illusions, or so it is hoped in Europe.

Now the mighty dollar is suddenly seen by Americans to be like other currencies—only as strong as confidence in the economy supporting it. The American tourist who could not cash a traveler's check in London or Paris this weekend got an unforgettable demonstration of that truth.

The many stories of Americans having their dollars refused at hotels or airports undoubtedly are giving Europeans a kick. But there is still the realization that all of the Western countries are in this crisis with the United States and depend on its success in meeting the challenge.

The British popular newspapers are proclaiming "This Black Weekend" and reporting on "Your Money—These Men Are Deciding About It Now." The theme is that prosperity in Britain and, even a decent life, may depend on what happens in Washington.

The Chancellor of the Exchequer, Roy Jenkins, undoubtedly recognizes more acutely than anyone the interdependence of this country with the United States.

He is scheduled to present his first budget to Parliament on Tuesday, and nearly everyone here is looking to it for decisions that could make or break Britain economically. Yet it appears that Mr. Jenkin's best may be swamped by what the United States does about economic policy.

ACCIDENT OF TIMING

Not that the British budget is unimportant. Many people, including experts on the United States economy, think that the accident of timing gives Mr. Jenkins a great opportunity to start the process of restoring world confidence in the monetary system.

As The Sunday Telegraph put it today, he has the chance of "getting a grip, of acting firmly, of demonstrating that a rational financial system is being rationally run." That means showing a willingness to accept tough medicine—higher taxes and postponed hopes for social improvements.

But, according to some informed European opinion, it is pre-eminently the Americans who must now adjust their economic dreams to reality. The reality is that the United States is not omnipotent, in financial matters any more than in others.

EXHIBIT 2

[From the Evening Star, Mar. 18, 1968]

ON THE DOLLAR-GOLD CRISIS

(By Sylvia Porter)

What do the proposed solutions to the worldwide stampede for gold mean to the free world in general, to you in particular? How will the moves to be made now to save the U.S. dollar affect your money in the bank, your take-home pay, cost of living, savings, mortgage and other loans? Why did so massive an effort to dump dollars and buy gold develop anyway?

Late yesterday afternoon, the leading central banks of the free world—with the conspicuous exception of France— gave their answer to the speculators who have been staging an historic run on gold in an attempt to force the U.S. to raise its official price above 35 dollars an ounce and thereby devalue the dollar. That answer, hammered out by the U.S., Belgium, the Netherlands, West Germany, Italy, Switzerland and Britain during weekend emergency meetings in Washington is:

The U.S. will not change the official price and qualified foreign holders of dollars will be able to continue turning in their dollars on demand for our gold at 35 dollars an ounce; the central bankers, though, will stop selling gold to or buying gold from private sources and the price of gold in the world's free markets will be allowed to find its own level.

MEANS MANY THINGS

And to you? To you this means many things.

To begin with, though, it does not mean the value or the appearance of the dollar in your pocketbook or the bank will be changed. There is no possibility of any flight from the dollar to gold within our country; you haven't been able to buy gold legally since 1934. There is no danger of a bank panic. The stories you've heard about this sort of thing in recent days are uninformed at best, malicious nonsense at worst.

But your take-home pay almost surely will be cut by higher income and excise taxes. An income tax increase is now a symbol of U.S. fiscal responsibility and the odds are growing fast that congress will soon vote to hike taxes on corporation and individual incomes to help balance the federal budget and slow down the economy's pace of rise.

Your cost of living will continue to climb to all-time peaks, though, because none of the restraints on the way can eliminate war-inspired price-wage pressures. Your dollar's buying power will continue to sink to all-time lows.

You will find borrowing money increasingly tough and more expensive. The federal reserve system is turning the credit screws again in its own drive to protect the dollar by curtailing borrowing which might feed inflation. The discount rate—the basic borrowing rate of the nation—has been raised to 5 percent, highest level in nearly four decades, and it could be on the way to 5½ percent. All other borrowing rates to businessmen, individuals, homebuilders, and buyers—scale up and up from there.

You will find it particularly difficult to finance a house—to build or buy or even sell one without assured mortgage financing.

Efforts are being made to prevent home-building from going into a tailspin as during 1966's credit "crunch." But the federal reserve system cannot insulate housing from credit forces as powerful as it has just set into motion. The price of mortgage money will jump and become scarcer.

You will be able to earn peak rates on your savings in the bank, savings institution, U.S. government, corporation and municipal bonds. Borrowers in the open market—ranging from the U.S. treasury down—are now paying historically high rates on their new issues. Rates on top-grade obligations are moving into the 6–7 percent range. The return to investors in the 50 percent tax bracket on blue-chip tax-exempt securities is moving beyond 10 percent. If there is a threat of great outflows of funds from financial institutions in the search of the more favorable rates, the federal reserve will permit the institutions to hike the rates they pay on savings.

You will pay more for items made of gold or including gold as a major ingredient. Private industrial users or gold jewelry manufacturers no longer will be protected by the U.S. treasury's fixed 35 dollars gold price.

You will face a rising possibility of wartime price-wage-credit controls. The last pretense that we can afford all the butter along with the guns was pulverized by the gold speculators last week—and yesterday our friends among the free nations made sure we realize that.

CLOSELY CONNECTED

You could find buying imported goods more expensive—despite the fact that a round of tariff cuts is underway. A surtax on imports is a possibility to discourage our buying.

Some of these implications to your pocketbook may seem far removed from a run on gold in markets 3,000 miles away from New York, but they are in fact directly and closely connected.

For bluntly what happened to our dollar—meaning us—last week was this:

The world gave our policies abroad and at home a massive vote of no-confidence—and for the first time in our modern history, we were put on the defensive.

With the help of the six nations that with us formed the now disbanded "gold pool," we temporarily shored up the international monetary system yesterday and bought more time for us to act to defend our dollar.

Now a new transition phase in world monetary affairs opens. Now we either come through and restore confidence in the dollar by actions which count—or we invite a breakdown in the monetary system and resulting chaos.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2318) for the relief of Kelley Michelle Auerbach.

The message also announced that the House had passed the bill (S. 1664) for the relief of the city of El Dorado, Kans., with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 202. An act to amend section 2735 of title 10 of the United States Code; to provide for the finality of settlement effected under section 2733, 2734, 2734a, 2734b, or 2737;

H.R. 14681. An act to declare a portion of Boston Inner Harbor and Fort Point Channel nonnavigable;

H.R. 14922. An act to amend Public Law 90–60 with respect to judgment funds of the Ute Mountain Tribe; and

H.R. 15004. An act to further amend the Federal Civil Defense Act of 1950, as amended, to extend the expiration date of certain authorities thereunder, and for other purposes.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 657) providing for ceremonies in the rotunda of the Capitol in connection with the unveiling of the bust of Constantino Brumidi, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 793. An act to provide for the conveyance of certain real property of the United States to the Alabama Space Science Exhibit Commission;

S. 876. An act relating to Federal support of education of Indian students in sectarian institutions of higher education; and

S. 2336. An act to determine the respective rights and interests of the Confederated Tribes of the Colville Reservation and the Yakima Tribes of Indians of the Yakima Reservation and their constituted tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 202. An act to amend section 2735 of title 10 of the United States Code, to provide for the finality of settlement effected under section 2733, 2734, 2734a, 2734b, or 2737; to the Committee on the Judiciary.

H.R. 14681. An act to declare a portion of Boston Inner Harbor and Fort Point Channel nonnavigable; to the Committee on Commerce.

H.R. 14922. An act to amend Public Law 90–60 with respect to judgment funds of the Ute Mountain Tribe; to the Committee on Interior and Insular Affairs.

H.R. 15004. An act to further amend the Federal Civil Defense Act of 1950, as amended, to extend the expiration date of certain authorities thereunder, and for other purposes; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 657) providing for ceremonies in the rotunda of the Capitol in connection with the unveiling of the bust of Constantino Brumidi, was referred to the Committee on Rules and Administration.

Mr. SYMINGTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Without objection, it is so ordered.

SENATORIAL STANDARDS OF CONDUCT

The Senate resumed the consideration of the resolution (S. Res. 266) to provide standards of conduct for Members of the Senate and officers and employees of the Senate.

Mr. STENNIS. Mr. President, the Senator from Nevada desires to offer an amendment. Other amendments also will be offered, but Senators are not ready at this time to present them. I believe the Senator from Nevada will be in the Chamber in 15 minutes.

Under the circumstances, I ask unanimous consent that the Senate suspend its proceedings now and resume at 2:15 p.m.

The PRESIDING OFFICER. Is it the Senator's intention to ask for a recess subject to the call of the Chair?

Mr. STENNIS. I wish to cooperate with the Parliamentarian. I move that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 2 o'clock and 1 minute p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 2:35 p.m. when called to order by the Presiding Officer (Mr. BURDICK in the chair).

AMENDMENTS

Mr. CANNON. Mr. President, I send to the desk an amendment and ask that it be reported.

The PRESIDING OFFICER. The amendment of the Senator will be stated.

The bill clerk read the amendments, as follows:

On page 4, line 3, after the word "Senator," and on page 5, line 17, after the word "Senator," and on page 7, line 23, after the word, "Senator," insert the following: "Or person who has declared or otherwise made known his intention to seek nomination or election, or who has filed papers or petitions for nomination or election, or on whose behalf a declaration or nominating paper or petition has been made or filed, or who has otherwise, directly or indirectly, manifested his intention to seek nomination or election, pursuant to State law, to the office of United States Senator."

The PRESIDING OFFICER. Does the Senator wish his amendments considered en bloc?

Mr. CANNON. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CANNON. Mr. President, my amendment pertains to three different parts of the resolution. It is only one amendment.

The PRESIDING OFFICER. It requires unanimous consent to consider it as one.

Mr. CANNON. I ask unanimous consent that my amendment, which would appear at three different places in the resolution, may be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CANNON. Mr. President, this amendment is intended to perfect Senate resolution 266 in its application to those persons who would be affected by proposed new Senate rules XLII, XLIII, and XLIV in the pending resolution.

Candidates for nomination or election should be required to comply with the provisions of these rules even as present incumbents of the Senate.

Each adversary in a senatorial election campaign should have available information concerning the business and financial activities and interests of all of his opponents. To deny to an incumbent the right to know as much data about his opponent as is required by Senate resolution 266 from the incumbent would be obviously unfair and discriminatory.

It could be argued that a Senate resolution lacks inherent power or jurisdiction over persons outside the Senate, but under the U.S. Constitution, the Senate is the sole judge of the elections and qualifications of its Members.

When a successful candidate presents his credentials to the Senate, this body has the right to inquire whether he has complied with the provisions of the Federal Corrupt Practices Act in filing reports of his campaign finances with the Senate and whether all other prerequisites have been met. If such a candidate were informed of the existence of a Senate rule, just as he is notified of his duty to file under the Corrupt Practices Act, I feel sure he would comply with the proper spirit.

I read from the Constitution, section 5 of article I:

> Each House shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.
>
> Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member—

And so on. I think it is quite clear that each body—or the Senate in particular in this instance—would have the right to determine whether or not a man had complied with the resolution as expressed by the Senate, even though it did not have the effect of law. If a man does not comply and runs and is defeated, the issue would not arise.

But if he should run and not make that information public, he obviously would be taking an advantage, if it may be termed an advantage, over an incumbent running for office, who is required by the resolution to make that information public.

I hope, Mr. President, that the distinguished chairman of the committee will accept my amendment. I believe, in all fairness, that it is a good amendment and that it should be accepted.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. STENNIS. The Senator's amendment presents a very solid, substantial point, which I think in theory has a good deal of merit. The question that we considered and passed on with reference to that matter, was that these are merely Senate rules; they are not, properly speaking, legislation. They will not be passed upon by the House of Representatives, like a bill or joint resolution, nor will they be signed by the President of the United States. We concluded to present the matter in the form of amendments to the Senate rules, thus letting them apply only to us as Members of the Senate.

The Senator is passing over the substance of the matter, and looking at the effect. He in effect proposes, in his amendment, that someone who is not a Member of the Senate and may never be a Member of the Senate be required, nevertheless, to come in and comply with a Senate rule, before he can become a candidate for the Senate in his own State, under the State laws and the Corrupt Practices Act laws of the United States—laws, I repeat, not rules of the Senate.

That raises a very far-reaching legal question. My impression is that the Senate rules cannot go that far. That is what has concerned me all the time. I wish we could take jurisdiction of that very problem the Senator has so well pointed out, and make the requirements identical. I think the Senator is resourceful, and shows considerable ingenuity and legal reasoning to reach over here and take that provision in the Constitution and tie it in with whether or not a man will be permitted to sit, the Senate being the judge of the qualifications of its Members, including both those Members who come in for the first time and those who return for a new term.

I should be glad to hear, and I feel that other members of the committee would be glad to hear the Senator further on the legal question. I wish I could agree with him, but I cannot, as I see it now, that we have jurisdiction, in proceedings under the Senate rules, to reach these problems. Under the Senator's wording, I think the matter would be well covered, but I believe we would be enacting something that would not stand the test of a legal contest.

Mr. PEARSON. Mr. President, will the Senator yield for a question?

Mr. STENNIS. The Senator from Nevada has the floor.

Mr. PEARSON. Will the Senator from Nevada yield?

Mr. CANNON. I am happy to yield to the Senator from Kansas.

Mr. PEARSON. I say to the Senator from Nevada that I am very happy with what he is trying to do. As the chairman knows, we spent many hours trying to find some means of covering exactly this situation. It represents nothing more and nothing less than fairness.

I ask the Senator, Is the reason that he did not rely upon introducing and having passed a statute covering the matter because such a bill, to become law, would have to pass both Houses of Congress, and we would thus have the House of Representatives passing upon a requirement for being a Member of the Senate?

Mr. CANNON. I might ask the committee the same question, as to why they did not propose a bill rather than a resolution.

I would much have preferred to see it in the form of a bill, because I have another amendment in which I am very much interested, and which I intend to offer as a sense of the Senate resolution, but which I would like to have offered as an amendment to a bill, because it would apply to the executive and judicial branches as well as to the legislative branch, including the other body. Under the pending resolution that amendment obviously cannot be offered because this is a simple Senate resolution.

I have checked this matter with the Parliamentarian. To answer the Senator's question, this provision does not apply to the House of Representatives; it has no application to the House. It would provide that the same thing we are saying applies to a Senator must also apply to a man who is an announced Senate candidate.

That, in all fairness, seems to me to be a valid application. I agree, as stated earlier, that it would not have the effect of law. If a man files or announces for the Senate, and runs and is defeated, there is not a thing we can do about it. But I may say to the Senator that even if it were merely passed and on the books as a rule of the Senate, I think it could have a salutary effect on any person who may become a candidate for the Senate for him to know, on becoming a candidate, that if he should win he is on notice that he is required by the Senate rules to comply with that provision of the rules, and if he does not comply with it, then he is on notice, certainly, that the Constitution says that each House shall be the judge of the election returns and the qualifications of its own Members.

This body can determine that. If they determine that a man took an unfair advantage, and did not comply with the Senate rule and got elected, they could decide not to seat him. That could be done, Mr. President. That is sort of a long way around to answer the Senator's question, but I would say again that I would prefer, myself, that this were a joint resolution, or were proposed as a bill. But I am confronted here with the problem of addressing myself to a resolution reported out by the distinguished Senator's committee; and trying to get that resolution in a form which I think will be fair.

The second proposal to which I have referred is not a new resolution on my part. I proposed it long ago, when we were previously considering the question of ethics. It would simply provide that members of the executive and judicial branches be subject to the same limitations; and I shall propose it again before we finish with this matter.

Mr. PEARSON. Mr. President, I say again I concur with what the Senator is trying to do. I think it might have some influence on candidates, but I do not think it would have any significant effect in the long run.

We faced the same problems in the committee which the Senator faces now. He has resolved to go a little bit further than we were resolved to go when faced with the same issue. I would respond to his question as to why the committee did not come out with a bill by saying it was fundamentally because, in the first, early consideration, in proposing some sort of code, we considered, alternatively, a statute and code of ethics, and, after discussion, selected amendment of the rules as the manner in which we would seek to do it. I am not

sure that the committee as such, under the rules that created it, really has the power to propose legislation or bring to the floor a statute.

But I congratulate the Senator for making a very good try on a very difficult problem. In fact, I go further, and say that I have a great deal of sympathy with his other proposed sense of the Senate resolution, since both Houses should have the same ethics applied to them. If he proceeds in that manner, there would be no problem about a bill as a supplement to a Senate code of ethics.

I think, however, that we had better address ourselves to that matter when the Senator brings up the resolution to which he refers. I frankly and honestly agree with what the Senator is trying to do, but such action, although it may have some influence on the matter, would really have no effect in the long run.

Mr. CANNON. The whole thing that we are trying to accomplish is the adoption of a resolution that will have some influence on the Members of the Senate, that will influence them in the conduct of the office they hold, and that will permit the public to be better informed.

I think it has been said before in the course of the debate on this matter that if there are people who want to evade the provisions laid down, they will find ways to do it. However, I proceed on the assumption that if the Senate acts on this matter and provides in the form of a Senate rule that persons who desire to become candidates should do certain prescribed things, such persons will do those things. And I believe they will.

I believe in all fairness that we should shorten the resolution and make certain changes to make it broader. I think the resolution should apply to other persons as well.

Mr. PEARSON. Mr. President, I know that the Senator is a very able and distinguished lawyer. I have worked with him on committees, and I have some appreciation for his talent in this field.

I think one of the fundamental legal principles of any court in the issuance of any order is whether it is feasible of execution and enforcement.

The Senator from Nevada is also a member of the Committee on Rules and Administration. I ask him, in light of that, if we had a given case in which a candidate refused, in spite of the existence of this proposed rule, to comply with the rule and was successful in his campaign for the U.S. Senate, and the Rules and Administration Committee had before it the question of whether that man should be seated in view of his violation of this rule in spite of his contention that the rule did not apply to him because he was not a Member of the U.S. Senate, whether we would not have a very difficult proposition pending before the Committee on Rules and Administration.

I go back to another element of the difficulty. What we do will have to be feasible and subject to enforcement.

Mr. CANNON. Mr. President, this would not have to be a Senate rule. It could be just a simple Senate resolution, independent and apart from the rules.

The Senator referred to meeting the court test. I think it is now quite clear historically that the Senate is in charge of determining the right of its own Members to be seated. They would not follow the court test. The Senate is the judge, and the courts cannot go into the matter.

Mr. PEARSON. I agree.

Mr. CANNON. And if the Senate has said it believes that a man who is a candidate should make the same information public that an incumbent who is running for reelection should make public, and if the opponent were elected and did not comply with this resolution or with the rule of the Senate, whichever way it happened to be, that is a matter that would be certainly proper to be presented to the Committee on Rules and Administration and to the Senate in determining the right to be seated of that particular person after an election.

Mr. PEARSON. I do not mean to imply that we are getting into principles of law in this connection. However, I use that as an illustration to show the great burden that the Committee on Rules and Administration will run up against in that situation. It will be awfully difficult, and I know that the Senator has recognized this. He has indicated as much in presenting his amendment.

Mr. CANNON. We have a subcommittee of the Committee on Rules and Administration specifically appointed for that purpose. And we do make investigations based upon charges that are presented. Complaints are made to the effect that a person has done things in the course of his election that he should not have done, that he has violated the Corrupt Practices Act, or whatever the case may be. The subcommittee of the Committee on Rules and Administration then goes into the matter and makes its report to the parent committee, the Committee on Rules and Administration, in an effort to determine whether that person is entitled to be seated under the Constitution.

Mr. PEARSON. That is precisely correct. I put to the Senator another case, the case of a contest between two candidates for the U.S. Senate, one of whom has fully complied with the rules because he is an incumbent, and the other of whom has not complied with the rules. If the incumbent files a complaint with the subcommittee, what could the subcommittee do? The incumbent is a Member of the Senate and the candidate is not.

Mr. CANNON. As chairman of the Subcommittee on Rules and Administration that handles that matter, we have been confronted with exactly that situation in which a complaint has been filed with us to protest the election of a candidate, and because the complaint did not meet the requirements that the Committee on Rules and Administration had established for the presentation of the complaint, we did not hear the complaint in two or three instances. So this matter has obviously quite a clear precedent, I think.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. ALLOTT. Mr. President, I have the Senator's amendment in my hand, and I notice that the way in which the amendment is written it applies to those actions required by the resolution for reporting to the Comptroller. That is, it refers to page 5, line 17, and to page 7, line 23. However, I notice that it does not refer to the reports required on page 8 under (a) and (b), and if the Senator would indulge me for a moment at this point because I think it is very pertinent, I think one of the main difficulties that would arise from the adoption of this amendment is the fact that if a man or a woman reports under paragraph (a) on page 8 to the Secretary of the Senate, he is thereafter going to be continually bombarded by crackpots about the connections of any contribution with his subsequent votes. For example, I can easily see a situation in which a man might receive, if the people in his State had faith in him, a contribution from certain people who were connected with airlines, and at the same time he might receive contributions from men who worked for railroads, and perhaps also at the same time he might receive contributions from people who worked for trucking companies.

That would be a classic instance in which the interested parties were competitive in the economic field; yet a contribution from a member of any of those groups could appear to affect anything done on the floor of the Senate which might touch, or barely touch, any of those groups, and thus leave the Senator wide open to vituperous and bitter criticism. Would not the Senator agree to that?

Mr. CANNON. I am not trying to defend, at this time, the position taken by the chairman or the other members of the committee. The Senator's argument relates, I think, to the basic position taken by the committee. I simply say that if the rule is to apply to Senators, it should likewise apply to candidates.

Mr. ALLOTT. The Senator's amendment, as I read it, does not refer to subparagraph (3) at the foot of page 7 and continuing to paragraph (a) on page 8.

Mr. CANNON. Yes; it does apply. If the Senator will note the amendment, it reads:

> And on page 7, line 23 after the word, "Senator," insert the following:

So it does apply on line 23, page 7, and continuing on page 8. I have tried to make the language apply consistently throughout the resolution.

Mr. ALLOTT. Mr. President, will the Senator further yield?

Mr. CANNON. I yield.

Mr. ALLOTT. The Senator is correct. I have reexamined the amendment; I now have a copy of it. But that report is required to have been filed on May 15 of each year. So the person who is running, under the Senator's amendment, or the person who is challenging, would be required to file only up to May 15, as would be the incumbent himself.

Mr. CANNON. That is correct. The application would be equal.

Mr. STENNIS. Mr. President, will the Senator from Nevada yield to me on one point?

Mr. CANNON. I yield.

Mr. STENNIS. I wish to underscore again the real problem the Senator from Nevada has so well stated with reference

to the intentions and purposes of the amendment. The committee joins thoroughly in the desire to reach this problem.

I might digress for a moment to the question of having the rules apply to the House as well as to the Senate, and let the proposal be a law instead of rules. Such a proposal has a tremendous appeal and has some advantages. But the Senate is an institution that has existed for almost 200 years without having any written rules on the subject. We considered the idea of consulting with the committee of the House of Representatives to see what could be done about adopting rules to apply to both Houses. They have a committee similar to ours.

In the first place, the problems are greatly different. The problems of regulation are different with reference to those who are candidates for the House of Representatives and those who are candidates for the Senate. The customs and problems are different with respect to statewide races.

These hearings and the probing into these matters have indicated where the real problems lie. They are so different that it is clear to us that a joint effort would take a great deal of time.

I believe the members of the committee in the House of Representatives have substantially the same view, because we discussed this matter with them informally to some extent. It would take a great deal of time to delve into this matter and determine what the problems are and then try to work out arrangements and agreements and language that would cover all the problems.

It would take not a few months, but a few years, and the matter would be delayed a long time and probably misunderstood.

Because neither House has any experience in this field of written regulations, it was believed to be far better to make a start, first with our own rules, and then the House with its rules, as to the problems which were paramount, important, and needed immediate attention. It was felt that once a start had been made by each House, then, as we moved forward, there would be far better chance for a sound blending, based on experience, of some of those major rules or regulations, or whatever they may be called, if it was the desire of either House to blend them into law. In that way, the opportunity to cover items such as the Senator from Nevada has brought up would be greatly increased.

So that basic decision was made, and I believe that time has proved that it was the right decision. If we can enact some rules and regulations and the House can enact some and then try them out, so to speak, we believe that we will progress splendidly in developing the responsible rules and regulations. That basic decision having been made, we are bound by that here, and I do not believe we can ride both horses.

If we are traveling on Senate rules, we cannot come in and say, "Yes, but that is inadequate, and we are going to bring in something that ought to be a law."

However well it is worded or however good its intentions or soundness in logic, when you add this amendment, it is not law, and it is really not a rule pertaining to Senators.

In the limiting of rules pertaining to Senators or employees who are associated with the Senate, it does not have the force of law. It would not be respected, in my humble judgment, by the courts. They would spew it out of their mouths, so to speak, and say that it is a nullity so far as being binding on someone who is not yet a Member of the Senate.

I do not believe there is any way we can reach out and get the analogy here of looking into the qualifications of a man to be a Senator and excluding him on the ground that he did not comply with what we added to a rule of the Senate, which really was not a rule of the Senate, but was a rule for candidates for the office of Senator.

I believe that would be a great error, and we would invite criticism, and we would invite repudiation by the courts. I wish we could get to the matter.

I distinctly remember one day during all the ups and downs we have had, when I was in the cloakroom, trying to reach the Senator from Nevada on the telephone to ask him about his Subcommittee on Rules going into this question.

The Senator from Nevada was conducting hearings at the time, and I did not disturb him. I just did not get around to calling him. I mention that only to indicate that we were looking to the Senator from Nevada in connection with this problem, but to handle it on the basis of a law, and I believe that is the only way we can get to it. We would be tempted to go into the other fields, other subjects, if we adopted one.

I agree with the merits and much of the substance of the amendment, but I believe we are dutybound at this stage of the proceedings to oppose the amendment as a part of the rules of the Senate.

Mr. CANNON. Mr. President, I regret that the Senator from Mississippi was not able to get in touch with me for a discussion of this matter, because I have been here for a considerable period of time and have been available for discussion.

Mr. STENNIS. I did not make such a suggestion. I said that I called the Senator and he was conducting a hearing. It was during the time when we were trying to finish up, and there was no opportunity to consult further with the Senator.

Mr. CANNON. Mr. President, to suggest that the courts would not look with favor on this type of proposal is quite inconsistent with the facts. The courts have looked on a number of occasions—or have been petitioned to look—at the question of whether or not they could determine the right of a person elected to the office of Senator to be seated. The courts unanimously have held that, pursuant to the Constitution, this is not a matter for the courts; that it is a matter for the Senate to determine. And there are precedents in the Senate itself.

When a purported Senator was duly elected—I should not say "duly," but at least was elected—to come to the Senate, the Senate refused to seat him. That is a historical precedent. And the Senate can refuse to seat a man who purportedly has been elected, either with or without a Senate rule.

So I am simply saying that if we are going to make an application in this instance that applies to Senators, we should prescribe the same provision with respect to announced candidates for the Senate.

I know that it does not have the force of law and that if you are going to try to punish him, you cannot punish him. But there is no such provision in the proposed resolution. I believe this would have a salutary effect, to require him to make public the information that should be made public under the proposed resolution. He would know that if he did not do it, he would run the risk of not being seated pursuant to section 5 of the Constitution.

Almost every election year, some sort of matter has come up before the Rules Committee involving the question of whether or not persons have violated the election laws, whether they are duly elected, whether it is a matter that the Senate Rules Committee should investigate.

We have conducted investigations on occasion in order to determine those facts. As I stated earlier, we have refused investigations in certain instances because the complaint did not conform to the ground rules set up by the Committee on Rules and Administration with respect to contesting an election. So there is no question about the validity of such a provision here if the Senate wishes to adopt it, and I think in all fairness the Senate should adopt it. We are not trying to impose anything on another body, but only on an applicant, a person who is a declared candidate for the Senate. I do not see why we should not apply it to Joe Doaks, who has said he is going to be a candidate, and yet apply the rule to the Senator from Kentucky [Mr. COOPER] who is running for reelection from the State of Kentucky. The same rules should apply to both of them.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. STENNIS. The Senator from Nevada has the floor.

Mr. CANNON. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I, too, would agree that the Senator's purpose is correct; and if the Senate should adopt the committee's recommendation applying to incumbent Senators, it would be reasonable to apply a similar rule to candidates, if we could do it legally or effectively.

I would say that the responsibility of our committee was to recommend rules to the Senate dealing with conduct of Members of the Senate, and officers and employees of the Senate. That does not mean to say we could not have recommended that the Committee on Rules and Administration hold hearings on the Senator from Nevada's proposal and report to the Senate a bill which would place the same obligations upon all candidates.

The Senator will agree with me that the Committee on Rules and Administration, which has jurisdiction in this area could recommend an amendment to the Corrupt Practices Act requiring all can-

didates for the Senate and House to meet the same requirements that would be imposed upon Members of the Senate by Senate Resolution 266. That is the only way it would have any legal effect, if properly recommended by the committee, approved by the Senate and the House of Representatives, and then signed by the President.

The Senator has said, and I believe correctly, that under the Constitution the Committee on Privileges and Elections can inquire into the qualifications of a person who has been elected to the Senate, and recommend to the Senate that the person be not seated. There are at least two grounds on which a person could be denied a seat in the Senate. The first ground would be if he had violated the Corrupt Practices Act and the Senator's committee could recommend that the Senator not be seated where violations were found.

Another ground on which a successful candidate could be denied a seat would be if his public or private conduct were of a corrupt and notorious nature.

However, if a candidate, who was not required to do so by law, had failed to file a disclosure statement then I do not believe it would be grounds for refusing him a seat in the Senate, if he were not an incumbent Senator to whom the rule applies.

The amendment of the Senator from Nevada would not have any legal effect and I do not believe the failure to file a disclosure statement by a candidate who is not an incumbent Senator would be grounds for refusing him a seat in the Senate. The only effective way to reach this question would be for the Senate's Committee on Rules and Administration to prepare such an amendment to the Corrupt Practices Act and recommend the measure to the Senate. If the Senate and the House of Representatives were to agree to such an amendment and if signed by the President, it would have the full effect of law.

Mr. President, I wish to make one final statement. I think it rather inappropriate for us to begin to attempt to impose requirements on nonincumbent candidates by rule until such time as we adopt them for ourselves. We have not done this yet.

Mr. CANNON. I would say to the distinguished Senator, certainly if that is not done it would not apply to the people who are candidates, because the amendment I have proposed is written in such a way that it would include the Senator or a man who is a candidate.

If the Senate were to adopt this resolution with my amendment, it would apply to both people; and if the Senate were not to agree to the resolution, it would not apply to either. If the Senate were to vote affirmatively on my amendment, it would not make that approval apply if the basic resolution were turned down. This is simply an amendment. I submit it is clearly within the authority of the Senate.

The distinguished Senator pointed out it is only in extreme cases that Senators may be deprived of being seated. However, the point is that it has been done, and on a number of instances. Persons have been refused to be seated and the courts cannot go into the matter. The sole judge of the question would be this body to determine the right of an applicant to be seated as a Member under the provisions of the Constitution which I read. It is pure and simple as to whether the Senate wants to make it apply to others, because to raise the specious question as to whether we can legally do so is not before us here. This could not be legally imposed on a Senator, as a matter of law; but it can be imposed upon him as a Senate resolution, and a Senator can be subjected to being punished, as a Senate rule, and he can be subjected to being punished by the Senate for violation of Senate rules; so we would also subject the applicant and candidate to the danger of having the Senate refuse to seat him if he did not comply, as an incumbent Senator is required to comply, with this rule when seeking election to office.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. COOPER. Mr. President, I think the Senator has raised a point which may be correct. I wish to acknowledge that it is true that the appropriate committee of the Senate could recommend and the Senate might deny seating a person elected to the Senate upon any grounds it thought sufficient, and without review of the courts. Is that the Senator's opinion?

Mr. CANNON. The Senator is correct. I think the court decisions are quite unanimous in that respect. I know of no contrary decision.

Mr. COOPER. I heard the Senator's argument when I came into the Chamber. My first impression was that we could not agree to the amendment as a part of the resolution; that we could only make a rule; and that the Senator's proposal would have no legal effect. It would not add anything to the body of law.

I assume the Senator is arguing that if we consider that the requirement for various forms of reporting and disclosure provided by the rules we have recommended are considered important enough by the Senate to be applied to incumbent Senators, then the Senator's committee and the Senate, if it desired, could deny a seat to the Senator who is not an incumbent, if he had not observed these rules. This may be correct, but I believe it would be bad policy to do so by rule rather than by an amendment to the Corrupt Practices Act which would establish legal requirements on all candidates. Is that the Senator's argument?

Mr. CANNON. That is correct. I think that the practical effect would be that when a man becomes a candidate he is notified of the rules of the Senate, and he would comply—as he should. Then we would have a candidate who was complying as well as an incumbent running for reelection who has complied. They are on the same basis. The public can judge between the two of them. They can determine within the guidelines of the resolution how the men are apt to be influenced, if at all, in the conduct of business, and not have one in a position of being at an unfair advantage over the other.

I believe that any man who intends to be a candidate for election, if he were informed of the existence of such a law, would obviously comply. He would not want to keep something like that secret from the public. If he did, and he was running against me, I would guarantee that the public would learn about it. I would have that right to let them know because they would be entitled to know that he had refused to comply with a rule of the Senate, that if he is going to run he has to do so on the same basis as any other candidate with respect to disclosing information to the public.

Mr. COOPER. I would think, perhaps, legally, the Senator has an argument; but I would say that there are different reasons for recommending this code and that it does not limit it to the questions of the candidacies but it goes to the Member of the Senate while he is in the Senate. First, there is a rule on conduct and, second, to provide to the public a belief and a confidence in the conduct of Members of this body. It is much larger in scope than just dealing with those who happen to be candidates. I still believe that the best way to handle the situation to which the Senator has addressed himself would be to amend the Corrupt Practices Act.

Mr. CANNON. I say to my distinguished colleague that both he and I are aware of the difficulties of getting changes made in the Corrupt Practices Act. We have tried for a number of years, and we have finally been successful in getting changes in the bill, but they are still languishing in the other body. They have not been acted on. The distinguished Senator from Kansas [Mr. PEARSON], a short while ago, raised that question with me and I did not answer it quite directly along that line. He questioned whether one of the reasons was that it was difficult to get this kind of action through the other body. I would say that we have been trying to amend the Corrupt Practices Act and trying to amend the Election Laws Act for many years and we have not been very successful, I may say, even though we have on several occasions passed a clean elections bill in this body. It is a difficult problem.

The distinguished Senator from Mississippi, a little while ago, stated that this was at least a beginning and let us get started. I say, let us get started and let us apply that start equally insofar as we can.

I have another amendment which I am going to propose a little later on, so that some of the arguments may be raised again; but that is a sense-of-the-Senate resolution. It is not so broad as what I am proposing now, because on this one, we would have some control through the Rules Committee, with the right of this body to determine the seating of its own Members.

Mr. PEARSON. Mr. President, will the Senator from Nevada yield?

Mr. CANNON. I yield.

Mr. PEARSON. I want to say to the Senator again that I regret being in opposition to his amendment because it is the very essence of fairplay and equal treatment to any of those who seek a

seat in the Senate, whether an incumbent or a candidate.

The Senator is correct that it is very difficult to get legislation through. Once again, I want to compliment the Senator on handling a bill providing for corrections in campaign financing and election laws which the Senate passed but it still remains today in the House, if that is correct.

Mr. CANNON. The Senator is correct.

Mr. PEARSON. There are problems connected with Corrupt Practices Act legislation, but there would also be other problems in legislation of this kind, if we sought to pass a law and place upon a candidate the requirements that exist in a code in the Senate rules which are subject to change from time to time. So that there are many problems involved here. But I would suggest to the Senator that, while I know he is going to press his amendment, we give some thought to preparing legislation in the form of the statute that would apply only to the Senate in relationship to the code we are considering, which I think the House might receive very favorably. Again, that is decidedly what we should do, but I disagree completely as to the feasibility and practicability of doing it in the manner the Senator proposes in his amendment.

Further, if the Senator finds my comments worth while, I would be very glad to join him in cosponsoring some kind of legislation, once we have accepted this resolution, which would apply to the Senate itself and would probably be received by the House with a great deal more friendship, perhaps, than a statute applying to both Houses.

Mr. CANNON. I thank the Senator for his kind offer, but I believe that Members of this body will see the equity of my position and will support my amendment to make it a part of the resolution.

Mr. STENNIS. Mr. President, will the Senator from Nevada yield?

Mr. CANNON. I yield.

Mr. STENNIS. I want to point out to the Senator that a moment ago I mentioned his contribution in this field. The committee took very favorable notice, indeed, of S. 1880, which was a bill passed last year by the Senate by a vote of 87 to 0, sponsored by the Senator from Nevada, in which he proposed the modernization of the Corrupt Practices Act. In that bill, which had tremendous appeal to the Senate, was also included the subject matter that covers situations similar to this. We reported this matter in our report, on page 11, and commended the bill, looking forward to the time when it would become law.

It reflects the creditable work that the Senator from Nevada has done, but it shows, as he said, that it is a subject for a law passed by Congress rather than for a rule of the Senate. So the RECORD ought to show that the Senator has worked further in this very field and that his amendment tends to confirm, I think, our position with reference to this subject.

Mr. CANNON. I would respond merely by saying that I cannot agree with the distinguished Senator from Mississippi that the amendment confirms the position of the committee on this subject, but it does certainly confirm the fact that there is no question that the election laws of the country need revision and overhaul. This body demonstrated that clearly when it passed S. 1880 unanimously and sent it to the other body. We did adopt some changes in the Corrupt Practices Act, and we adopted some changes in the election laws.

But what we are considering today is making some changes in the Senate rules as they apply to Senators. I merely say that if we propose to change the rules as they relate to Senators during the periods of elections, the same rules should be applied to candidates for the Senate and not give them an unfair advantage, if it can be called an unfair advantage. There is no question that we have the legal right to do this. So the only question I can see is, Do we want to make the resolution fair in its application to persons who are seeking the office of U.S. Senator?

Mr. THURMOND. Mr. President, I support the resolution before the Senate. It relates to a subject of great importance. Regardless of what this great body does on the many far-reaching proposals which are debated here, if the personal integrity of our membership is questioned by those we serve, the faith of the people in this institution will be shattered.

We live in perilous times. There is a growing mood of frustration across this land. Events in Vietnam, in our cities, in the world gold markets, and, indeed, in the American political arena have combined to create an increasing lack of assurance about things often taken for granted. In my judgment, there is an alarming trend among the people toward the fragmentation and disintegration of what once were accepted standards—standards once prevalent as guides for personal conduct, for political opinions, and for political action. For example, acceptance of our basic system of representative government once prevailed throughout the body politic. Now I seem to detect a lessening in public confidence in this system and its ability to solve the broad range of serious problems which confront the Nation and, indeed, the free world.

If this analysis is correct, then I believe it is essential that we follow a course of action which will serve as evidence to the American people that we, as their elected Representatives in the Senate, are concerned that ethical standards will prevail in the Senate. Let us show to the people that we are willing to pursue standards in the fulfillment of our duties which are above reproach. That in those areas where drawing a line may appear difficult to some, we will nevertheless draw a line.

Mr. President, I have long felt that the Senate should establish official standards of conduct. Senators' personal views of what is acceptable have differed and will continue to differ. Very distasteful and unfortunate incidents have come up in this body on the question of ethical behavior. One reason for this has been the lack of a clear definition by the Senate in certain areas.

My views, and those of other individual Senators, do not constitute an expressed code of conduct for the Senate. If the Senate is to be conscientious in its quest for higher standards of conduct, its duty is to formulate an official code for the guidance of its Members. The Senate should now clearly set forth rules which will enable its Members to avoid engaging in a course of conduct which might be called into question at a later date.

It is not my intention to question the integrity of anyone. By setting clear standards of conduct in the areas of our official duties, the Senate will be providing a guide for its Members. We will also reassure the public that the Senate is concerned about ethics.

Let us also remember that the mere adoption of the resolution will not be enough. It is not enough to abide by the letter of law in these matters. The spirit of the law must be followed.

Mr. President, the resolution should be agreed to. In a time of tumultuous events, let the public be reassured that its institutions of government will adhere to a standard of integrity.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada [Mr. CANNON].

Mr. CANNON. Mr. President, I suggest the absence of a quorum——

Mr. PEARSON. Mr. President, will the Senator withhold that suggestion for a moment?

Mr. CANNON. Yes.

Mr. PEARSON. Mr. President, I want to thank the distinguished Senator from South Carolina [Mr. THURMOND] for his comments regarding the proposed code. I only rise to make that expression and also once again, in an effort to make some legislative history, to direct the attention of Senators and the Senate to paragraph (b) of the resolution, on the first page, wherein it is noted that these rules are the written expression of certain standards of conduct and complement the body of unwritten but generally accepted standards that continue to apply to the Senate.

While we have sought to lay down general guidelines within the matters taken up, they do not constitute, and we never intended them to constitute, the full and complete body of the code of conduct of any U.S. Senator. I do not think we can make that point too frequently in this particular debate, because it is of great consequence in the matters that may come before the Senate in the days ahead.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CANNON. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. CANNON. Mr. President, I simply say, in conclusion, there is no question that the Senate has the authority to amend the resolution as I have suggested and as this amendment proposes. The Constitution is clear that the Senate

could enforce it by questioning whether or not a person who might have violated a rule of the Senate was entitled to be seated. In all fairness, a rule that applies equally to a candidate for election to the Senate who is running for reelection, as against a man who is not running for the election, but where both are running for the same office, obviously should be given equal attention.

All my proposal does is make the rule apply equally to a Senator who is running for reelection and a man who may be an announced candidate for election to that office.

I ask that the Senate adopt my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Nevada.

Mr. STENNIS. Mr. President, as far as a vote at this time is concerned, there are several amendments; and there has been an understanding that the Senator from Pennsylvania [Mr. CLARK] would have an opportunity to present two amendments that he has this afternoon. I am sure he will be here for that purpose as soon as we let him know.

I really believe, for the orderly handling of the resolution—and I hope the Senator from Nevada and the Senate will agree—that when the amendments have been presented, then we can propose a unanimous-consent request for a division of time as to amendments, with the major amendments having more time, of course, than others, and also have agreed time on passage of the resolution.

But until there is more time to arrange those details, and particularly right at this point, in order to comply with the request of the Senator from Pennsylvania, I hope that the Senator from Nevada will not insist upon voting.

Mr. CANNON. Mr. President, I have no desire to rush the vote. If the Senate wishes, I shall ask unanimous consent that the order for the yeas and nays be rescinded, and withdraw my amendment for the moment, if the Senator from Mississippi would prefer to have some of the other amendments considered at this time.

Mr. STENNIS. It might be helpful, Mr. President, in trying to adjust all of these matters for orderly presentation.

Mr. CANNON. Very well. Mr. President, I ask unanimous consent that the order for the yeas and nays be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CANNON. Mr. President, I temporarily withdraw my amendment from consideration.

The PRESIDING OFFICER. The amendment will be withdrawn.

Mr. STENNIS. Mr. President, I thank the Senator from Nevada.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT REQUEST

Mr. STENNIS. Mr. President, I propose to offer at this time a unanimous-consent request with reference first to a time limitation on the amendments that I shall specify, then the general amendments that are unnamed, and then with respect to final adoption of the resolution. I have notified all Senators who have amendments that I know about.

I am advised that the minority leader, the distinguished senior Senator from Illinois [Mr. DIRKSEN], wishes to be present when the unanimous-consent request is proposed. I understand that he is on his way to the Chamber.

Would the Senator from Pennsylvania rather wait until after the unanimous-consent request has been propounded?

Mr. CLARK. Mr. President, I understand that the Senator from Connecticut wants the Senator from Mississippi to yield to him.

Mr. DODD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield with the understanding that the Senator will defer when the minority leader comes to the Chamber so that we can get the unanimous-consent agreement attended to.

The unanimous-consent agreement I shall propose would be in effect beginning tomorrow. It would not be in effect this afternoon. We can spend the rest of the afternoon here in general debate.

I know that the Senator from Pennsylvania has a matter that he wants to present to the Senate, as does the Senator from Connecticut.

Mr. DODD. I do not have anything at the moment. I do not think that I will have anything this afternoon. I have one matter completed and the other is nearly completed.

Mr. STENNIS. Mr. President, the minority leader is now present in the Chamber.

I propose to offer a unanimous-consent request. By way of explanation, the request will be a little long. It will apply to some specific amendments.

Mr. President, I ask unanimous consent that beginning tomorrow, in the further consideration of Senate Resolution 266, the amendments be taken up with the following time limitations. I shall not refer to the amendments in the order in which they will be considered. I shall not attempt to control that. I shall just refer to them by number or by subject matter.

The Senator from Pennsylvania has one amendment dealing with the broad subject of disclosure.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CLARK. The amendment is jointly sponsored by the Senator from New Jersey, myself, and others. I believe the Senator from Mississippi inadvertently overlooked stating that the time limitation would not start until tomorrow.

Mr. STENNIS. The Senator is correct. The proposed time limitation would not start until tomorrow.

With respect to the first amendment to proposed rule XLIV of the resolution on disclosure, the unanimous consent request is that debate on the amendment be limited to 3 hours, one and a half hours to each side, the time to be controlled by the Senator from Pennsylvania [Mr. CLARK] and the committee chairman.

The PRESIDING OFFICER. Will the Senator inform the Chair what the number of that amendment is?

Mr. CLARK. No. 623.

Mr. STENNIS. No. 623.

Mr. DODD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. DODD. Is that 3½ hours on the Clark amendment?

Mr. STENNIS. Three hours on the Clark amendment No. 623.

As a further part of the unanimous-consent request, Mr. President, another amendment on the subject of disclosure may be offered, and on that amendment I request that the time limitation for debate be a total of 1 hour, the time to be equally divided between the Senator from Pennsylvania and the chairman of the committee.

The PRESIDING OFFICER (Mr. SPONG in the chair). Will the Senator from Mississippi identify that amendment by number, please?

Mr. CLARK. I regret to state that I do not have that amendment with me. I will be able to identify it as soon as my staff assistant arrives in the Chamber. He is on his way now.

Mr. STENNIS. It is an unnumbered amendment on the subject of disclosure as reflected in rule XLIV.

Mr. President, we will have another amendment offered by the Senator from New Jersey [Mr. CASE], the number of which is 622. It will relate to the question of additional office expense of a Senator. The Senator from Pennsylvania is the coauthor. The request is that 2 hours be allowed for debate on that amendment, 1 hour to each side.

The PRESIDING OFFICER. Will the Senator from Mississippi state who is to control the time on amendment No. 622, offered by the Senator from New Jersey?

Mr. STENNIS. The time is to be controlled by the Senator from New Jersey [Mr. CASE] and in opposition to the amendment the time is to be controlled by the committee chairman or someone acting for him.

There probably will be an amendment that will pertain to—I do not know who will offer the amendment, but I will describe it by subject matter—proposed rule XLIII and will relate to the matter of a member of the staff being eligible to receive or to solicit funds in connection with a campaign. As a part of this unanimous-consent request, I propose that debate be limited to 2 hours on that amendment, 1 hour to each side, the time to be controlled by the proponent of the amendment and, in opposition, by a Senator acting for the committee.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. ANDERSON. I have discussed the question of people taken off the payroll during a campaign, with the loss of insurance. I wonder if that is the amendment to which the Senator now refers.

Mr. STENNIS. That is the subject matter of the amendment I was describing

at this time. The request as to that amendment is for a time limitation of 2 hours, 1 hour to each side.

Mr. President, I believe that brings us to the amendment of the Senator from Nevada.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. COOPER. I have been informed that an amendment may be offered to the first rule that the committee recommended, dealing with outside employment of office employees. That is a complete rule. It seems to me that there should be 2 hours of debate on that rule.

Mr. STENNIS. Mr. President, as a part of the unanimous-consent request, I ask that any amendment relating to proposed rule XLI, which begins on page 2, lines 6 and 7, by whomever it is offered, be allotted 2 hours of debate, 1 hour to be controlled by the proponent of the amendment, and 1 hour, in opposition, to be controlled by the committee chairman or someone acting on behalf of the committee.

That brings us to the amendment of the Senator from Nevada, which has been discussed.

Does the Senator suggest a time limitation on that amendment?

Mr. CANNON. Mr. President, as to the amendment I have already discussed, I believe a 30-minute limit would be acceptable, 15 minutes to a side. However, I have another amendment pending at the desk, No. 616, and I believe that might require 1 hour—30 minutes to a side.

Mr. STENNIS. What is the number of the first amendment?

Mr. CANNON. The first one is unnumbered. The one we have discussed is unnumbered. That is the one we discussed this afternoon at some length.

Mr. STENNIS. As to the unnumbered amendment, which was discussed this afternoon and was withdrawn temporarily by the Senator, the request is that there be a time limitation of 1 hour.

Mr. CANNON. Thirty minutes.

Mr. STENNIS. It has been discussed, but not many Senators were present.

As to that amendment offered by the Senator from Nevada, I request 1 hour, 30 minutes to each side, the time to be divided between the proponent and the opponent.

With respect to the amendment of the Senator from Nevada which has not been discussed——

Mr. CANNON. That is No. 616.

Mr. STENNIS. The request as to that amendment is for a time limitation of 1 hour, the time to be equally divided between the proponent and the Senator acting on behalf of the committee.

With respect to other amendments that may be offered, the request is that the time be limited to 1 hour, to be equally divided between the proponents and those in opposition.

On final passage, the request is that the time for debate be limited to 3 hours, the time to be equally divided between and controlled by the minority leader and a Senator acting on behalf of the committee.

That, Mr. President, completes the unanimous-consent request that would start tomorrow.

Mr. DIRKSEN. Mr. President, reserving the right to object——

Mr. DODD. Mr. President, will the Senator yield?

Mr. STENNIS. The amendments of the Senator from Connecticut would be included in those that are not numbered.

Mr. DODD. I have two amendments. I believe that I could be very brief with one. I am concerned that the other one might take longer than a half hour. I do not wish to delay the Senate, but I believe the pending resolution is one of the most important questions that has come before the Senate. It has been discussed for 2 or 3 years.

I do not think we should do anything precipitately here. I would like to have the opportunity to explain my amendment. I am not at all sure I can do it in one-half hour. If any other Senator wishes to speak on the subject it could not conceivably be done in that time.

Mr. STENNIS. What time would the Senator suggest?

Mr. DODD. I think it would require a couple of hours.

I do not know why we are placing a time limitation on this matter. This is such an important matter that I believe we should all be heard on the committee's proposals. I believe the country is watching us. There is much to be said that has not been said. I have a very great interest, as all Senators know, and I know that all Senators have an interest also.

However, tomorrow is Wednesday. Why can we not go through these amendments, consider them and debate them, and see if we can reach a time limitation?

Mr. STENNIS. I appreciate the suggestion of the Senator from Connecticut. The committee does not wish to unduly limit the time under any circumstances. These were mere suggestions that came as much from the proponents of the amendments as they did from anyone else. We have been here all afternoon—although only some Senators have been present—and I thought we should have some understanding and get matters started on controlled time, so the proceedings would take place in a better manner. There is time on the bill to be allowed. I believe that any Senator should have as much time as he suggests.

Mr. President, I include as a part of my request that there be 1 hour on any side on any amendment offered by the Senator from Connecticut, the time to be controlled by the proponent of the amendment and the party in opposition.

Mr. DODD. That is agreeable. However, I am concerned with debate on all amendments. I would not have any trouble presenting my amendment in 1 hour, but I think we should be careful about how we consider all the aspects of this legislation.

I am as anxious as the Senator from Mississippi is to reach a conclusion on this matter. However, I did not get an opportunity to work on the committee resolution until last weekend because it was not distributed to Senators until Friday of last week.

Mr. STENNIS. The Senator from Mississippi is not in a hurry. I have as much time as anyone else, and I am here from now on, as far as this matter is concerned.

Mr. DIRKSEN. Mr. President, reserving the right to object and maintaining the reservation, let me inquire, Is this a single unanimous-consent request covering all of these items?

Mr. STENNIS. I outlined the whole matter at one time in order to get the entire picture as best I could before the Senate. If the Senator would rather take them up one at a time, that is satisfactory to me.

Mr. DIRKSEN. Mr. President, first of all, the report of the Select Committee on Standards and Conduct was not laid on the desks of Senators until toward the weekend of last week. We were busy on other matters. There were absentees when we considered the money resolution—a great many of them. I have not had time to properly digest the report.

Second, there is a great divergence between this report and the report of the Ethics Committee in the House of Representatives, which consisted of 12 members, and submitted to their body.

Third, there are other amendments. There are amendments by the Senator from Colorado [Mr. ALLOTT], the Senator from Iowa [Mr. MILLER], and others that have not been included, except under the general proviso that there be 1 hour.

Fourth, I have an idea that tomorrow I shall have some amendments, too.

This is a most important matter. It had spirited discussion in the minority policy committee meeting this noon. It was truly astonishing how many questions were raised with respect to this rules change.

Under the circumstances, Mr. President, I must object, and I would have to object to any single request on any amendment, simply because it is an important matter and Senators are entitled to digest those things that are going to apply to this body, and in the case of those who at some time may become candidates, and which may not apply to opponents. In the case of those who get opposition from the House of Representatives, they will be operating under one standard, and Senators will be operating under another standard.

Therefore, Mr. President, I object.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I have objected.

Mr. CLARK. Mr. President, my question to the Senator from Illinois is going to be whether he would object to a seriatim time limit on one amendment at a time to see whether we can work out limitations on amendments that have not been submitted or printed.

Mr. DIRKSEN. I will get to that when they are reported.

Mr. CLARK. Mr. President, will the Senator yield so that I may propose an amendment?

Mr. STENNIS. I yield.

AMENDMENT NO. 623

Mr. CLARK. Mr. President, I call up the amendment of the Senator from New Jersey and me, which has been printed, and I ask that it be stated by title, but not read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. CLARK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment ordered to be printed in the RECORD, is as follows:

Beginning with line 15, page 5, strike out all to and including line 4, page 9, and insert in lieu thereof the following:

"RULE XLIV

"DISCLOSURE OF FINANCIAL INTERESTS

"1. Each individual who at any time during any calendar year serves as a Member of the Senate, or as an officer or employee of the Senate compensated at a gross rate in excess of $15,000 per annum, shall file with the Comptroller General for that calendar year a written report containing the following information:

"(a) The fair market value of each asset held by him or by any member of his immediate family or by him and any member of his immediate family jointly, exclusive of any dwelling occupied as a residence by him or by members of his immediate family, at the end of that calendar year;

"(b) The amount of each liability owed by him or by any member of his immediate family, or by him and any member of his immediate family jointly, at the end of that calendar year;

"(c) The source and amount of each capital gain realized, during that calendar year by him or by any member of his immediate family, by him and any member of his immediate family jointly, or by any person acting on behalf of or pursuant to the direction of him or any member of his immediate family, or him and any member of his immediate family jointly, as a result of any transaction or series of related transactions in securities or commodities, or any purchase or sale of real property or any interest therein other than a dwelling occupied as a residence by him or by members of his immediate family;

"(d) The source and amount of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or any member of his immediate family) received by or accruing to him, any member of his immediate family, or him and any member of his immediate family jointly from any source other than the United States during that calendar year, which exceeds $100 in amount or value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, or other facilities received by him in kind;

"(e) The name and address of any professional firm which engages in practice before any department, agency, or instrumentality of the United States in which he has a financial interest; and the name, address, and a brief description of the principal business of any client of such firm for whom any services involving representation before any department, agency, or instrumentality of the United States were performed during that calendar year, together with a brief description of the services performed, and the total fees received or receivable by the firm as compensation for such services;

"(f) The name, address, and nature of the principal business or activity of each business or financial entity or enterprise with which he was associated at any time during that calendar year as an officer, director, or partner, or in any other managerial capacity.

"2. Each asset consisting of an interest in a business or financial entity or enterprise which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name of such entity or enterprise, the location of its principal office, and the nature of the business or activity in which it is principally engaged or with which it is principally concerned, except that an asset which is a security traded on any securities exchange subject to supervision by the Securities and Exchange Commission of the United States may be identified by a full and complete description of the security and the name of the issuer thereof. Each liability which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name and the address of the creditor to whom the obligation of such liability is owed.

"3. Except as otherwise hereinafter provided, each individual who is required by paragraph 1 to file a report for any calendar year shall file such report with the Comptroller General not later than April 30 of the next following calendar year. No such report shall be required to be made for any calendar year beginning before January 1, 1968. No report made for the calendar year 1968 need include any interest held, payment received, or liability owed before the date which follows by ninety days the adoption of this rule. The requirements of this rule shall apply only with respect to individuals who are Members of the Senate or officers or employees of the Senate on or after the date of adoption of this rule. Any individual who ceases to serve as a Member of the Senate or as an officer or employee of the Senate, before the close of any calendar year shall file such report on the last day of such service, or on such date not more than three months thereafter as the Comptroller General may prescribe, and the report so made shall be made for that portion of that calendar year during which such individual so served. Whenever there is on file with the Comptroller General a report made by any individual in compliance with paragraph 1 for any calendar year, the Comptroller General may accept from that individual for any succeeding calendar year, in lieu of the report required by paragraph 1, a certificate containing an accurate recitation of the changes in such report which are required for compliance with the provisions of paragraph 1 for that succeeding calendar year, or a statement to the effect that no change in such report is required for compliance with the provisions of paragraph 1 for that succeeding calendar year.

"4. Reports and certificates filed under this rule shall be made upon forms which shall be prepared and provided by the Comptroller General, and shall be made in such manner and detail as he shall prescribe. The Comptroller General may provide for the grouping within such reports and certificates of items which are required by paragraph 1 to be disclosed whenever he determines that separate itemization thereof is not feasible or is not required for accurate disclosure with respect to such items. Reports and certificates filed under this rule shall be retained by the Comptroller General as public records for not less than seven years after the close of the calendar year for which they are made, and while so retained shall be available for inspection by members of the public under such reasonable regulations as the Comptroller General shall prescribe.

"5. As used in this rule—

"(a) The term 'asset' includes any beneficial interest held or possessed directly or indirectly in any business or financial entity or enterprise, or in any security or evidence of indebtedness, but does not include any interest in any organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code;

"(b) The term 'liability' includes any liability of any trust in which a beneficial interest is held or possessed directly or indirectly;

"(c) The term 'income' means gross income as defined by section 61 of the Internal Revenue Code of 1954;

"(d) The term 'security' means any security as defined by section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b);

"(e) The term 'commodity' means any commodity as defined by section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2);

"(f) The term 'dealing in securities or commodities' means any acquisition, transfer, disposition, or other transaction involving any security or commodity;

"(g) The term 'officer or employee of the Senate' means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, (7) an employee of a Member of the Senate, if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate; and

"(h) The term 'immediate family', when used with respect to any person, includes the spouse and each minor child of such person."

Beginning with line 22, page 4, strike out all to and including line 26, page 4.

On page 5, line 1, strike out "4", and insert in lieu thereof "3".

Mr. CLARK. Mr. President, I have asked that further reading of the amendment be dispensed with by unanimous consent so that I may explain it.

Now, I wish to say to my friend from Illinois that this amendment has been printed and we now have on the desk of every Senator a simple explanation of it.

The suggestion of the Senator from Mississippi was that we debate the amendment for the remainder of the afternoon, and then come in tomorrow and discuss it for 3 hours, an hour and a half on each side.

I wonder if my good, gracious, and congenial friend would agree that that would be adequate time for serious discussion.

Mr. DIRKSEN. They have just handed me the explanation. The amendment is printed.

Mr. CLARK. I beg the Senator's pardon. The amendment is printed.

Mr. DIRKSEN. I said the amendment is printed. They just handed me a mimeographed explanation. I have not seen it before. I do not propose to permit a time limitation until other Senators have had an opportunity to read it.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CLARK. I wonder if the Senator, with the benefit of further cogitation and a good night's sleep, might be more receptive tomorrow to a suggestion that we limit the time.

Mr. DIRKSEN. We will let tomorrow take care of itself.

Mr. CLARK. We will let it creep at its petty pace.

I thank the Senator.

Mr. STENNIS. Mr. President, I think that any Senator is entirely within his rights in objecting to this unanimous-consent request or any request, as far as the committee is concerned. We wanted to get before the Senate the list of amendments we knew about and determine if we could get started on some matters.

Mr. CLARK. Mr. President, first, I should like to say that I listened with interest to the discussion by the distinguished Senator from Nevada [Mr. CANNON] of his amendment to make the disclosures and restrictions, which by the rules advocated by the Committee on Standards and Conduct would apply to all Senators, apply also to candidates. I had been dubious as to whether that could be done legally. But the Senator from Nevada has persuaded me that under the provision of the Constitution which makes the Senate the judge of the qualifications of its Members, it is perfectly feasible to provide that any individual who is running for nomination or election to the Senate shall be bound by the same rules as are persons who are actually Senators. If the individual loses his race, nothing will happen. If he wins, and the question of his qualifications is raised, it would then be entirely appropriate for the Senate to submit the successful candidate, when he presented himself for swearing in, to inquiry as to whether he had, in fact, complied with the rules of the body to which he was seeking admission in connection with his primary or his general election campaign.

So I would hope that the members of the Committee on Standards and Conduct, presided over by the able and distinguished Senator from Mississippi [Mr. STENNIS], would give careful thought overnight as to whether the amendment of the Senator from Nevada does not have great merit, and whether the committee would not be willing to accept it as a measure which, I think, can be included among the proposals which they have brought in, and at the same time be entirely fair by putting all candidates for nomination and election, whether Members of the Senate or not, on an equal basis.

With respect to the pending amendment, I ask unanimous consent that the Senator from Michigan [Mr. HART] and the Senator from Utah [Mr. MOSS] be listed as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, for the benefit of Senators who will be reading the RECORD tomorrow, the amendment, which I shall describe in a moment, is very similar indeed to the amendment rejected by a vote of 46 to 42 at the time the election reform bill was under consideration on September 12, 1967. Since this amendment is so similar to that amendment, it may well be that a number of Senators who supported the amendment in 1967 will want to cosponsor the pending amendment. This can readily be done if they will advise the Senator from New Jersey [Mr. CASE] or me, so that we may make the appropriate motion when the Senate convenes tomorrow.

Amendment No. 623 to Senate Resolution 266 presently cosponsored by Senators CASE, HATFIELD, MORSE, and SPONG would do the following:

It would provide for mandatory public financial disclosure for all Senators and Senate employees with an annual salary of $15,000 or more, as opposed to the confidential disclosure with the Comptroller General which is proposed in Senate Resolution 266 as a part of the proposed new Senate rule XLIV.

Under the proposed amendment, disclosure would still be made to the Comptroller General, who would retain the reports filed with him for not less than 7 years. This is the same proposal contained in the committee resolution. I think the 7-year term is excellent. It would cover two separate elections to the Senate. That is plenty long enough but not too long. We would support that.

The amendment would provide that the documents constituting the disclosure would be made available for inspection by members of the public under appropriate regulations which would be promulgated by the Comptroller General. The reports to be filed would contain the following information which, in the opinion of the sponsors of the amendment, is adequate to provide a searching and complete disclosure but does not require the filing of Federal income tax returns which, almost necessarily, contain a good deal of information which, in my opinion, is not necessary to have disclosed in order to protect the public from any possible conflict of interest or improper financial action by a Senator.

The information to be disclosed can be summarized under six headings, as follows:

First. Fair market value of each asset, excluding family residences;

Second. Amount and identity of each liability;

Third. Source and amount of each capital gain;

Fourth. Source and amount of each item of income, and each gift—other than gifts from relatives—over $100.

I ask all Senators who have the explanation of the amendment on their desks, to note a typographical error in item 4, next to the last words, "under $100," which should be "over $100."

Fifth. Association with a professional firm, identity of any client represented by the firm before a U.S. agency, description of services performed, and fees received;

Sixth. Association with business enterprise as an officer, director, partner, or manager.

Spouses—or, as my friend from Rhode Island prefers to call them, "spice"—and minor children would be covered, and transactions through a strawman would have to be disclosed. The rule would take effect 90 days after adoption by the Senate.

I point out that trusts are also covered with particular reference to the interest, what is known in the law as a cestui que trust on those who hold the beneficial interest. The term "asset" includes any beneficial interest held or possessed directly or indirectly in any business or financial entity or enterprise, or in any security or evidence of indebtedness, but does not include any interest in charitable organizations which are exempt from taxation under the revenue code. The same situation applies with respect to the definition of "liabilities."

I point out that this is substantially the same amendment which was defeated by a vote of 42 to 46 on September 12, 1967, when it was offered to the election reform bill.

Mr. ANDERSON. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield to the Senator from New Mexico.

Mr. ANDERSON. The Senator refers to "fair market value of each asset, excluding family residences." Some people have a home in the home State, and one in Washington here. What about it?

Mr. CLARK. The provision is for dwellings occupied as a residence by him or members of his immediate family.

Mr. ANDERSON. I have a house in New Mexico. I have a house here.

Mr. CLARK. The Senator would not have to reveal either of them.

Mr. ANDERSON. I want to ask for my information, as to item 3, "source and amount of each capital gain," is capital gain closely defined in the internal revenue regulations?

Mr. CLARK. It is identical.

Mr. ANDERSON. I think it is. Does that eliminate, then, the smaller short-term gains?

Mr. CLARK. The term "capital gain" is used in the sense that it is used in the Internal Revenue Code.

Mr. ANDERSON. Then, it would not be a short-term gain or loss?

Mr. CLARK. I believe the reference to the Internal Revenue Code may be misleading. Let me read the language from my amendment to the Senator. It is on page 2, beginning on line 12 of the amendment:

> The source and amount of each capital gain realized, during that calendar year by him or by any member of his immediate family, by him and any member of his immediate family, jointly, or by any person acting on behalf of or pursuant to the direction of him or any member of his immediate family, or him and any member of his immediate family jointly, as a result of any transaction or series of transactions in securities or commodities, or any purchase or sale of real property or any interest therein other than a dwelling occupied as a residence by him or by members of his immediate family.

Therefore, I think clearly it would apply to both long-term and short-term capital gains.

Of course, the purpose of disclosure is to show how the Senator makes his money. Since the term "income," under the Internal Revenue Code, is usually not considered as including capital gains, it was decided to use that term in a separate disclosure section in the amendment.

Mr. ANDERSON. The fifth item provides for the disclosure of any professional firm which engages in practice before a U.S. agency, together with a brief description of the services performed and the total fees received.

I pay a little money to a financial advisory group in New York. Does that put it under the definition of "professional firm"?

Mr. CLARK. Well, I myself pay a little money, not only to an investment firm in New York, but also to an oil and gas advisory group in Louisiana. I think the best way to answer the Senator's question is to read the text of the amendment as it appears on page 3, beginning on line 13:

> The name and address of any professional firm which engages in practice before any department, agency, or instrumentality of the United States in which he has a financial interest.

Since the kind of relationship which the Senator from New Mexico mentioned, and which I indicated I, too, participated in, is not a financial interest in such a firm, it would not be disclosed.

Mr. ANDERSON. I am happy to have that explanation of it. I thought that is what it would be, but I would not want a firm in New York to have to explain my affairs. It probably is the same as the Senator from Pennsylvania's.

Mr. CLARK. I do not know. My son is in the one I use. I do not know whether the Senator from New Mexico uses that one or not.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from North Dakota.

Mr. BURDICK. I was one who supported the Senator in 1967. I did it with some reluctance, because of one feature of the bill. I notice this measure now applies to members of the immediate family, which includes spouses and also children under 21.

Mr. CLARK. Yes.

Mr. BURDICK. Would this apply to a spouse who had an estate before the Senator had married the spouse?

Mr. CLARK. I am afraid it would. It seems to me, on the whole, the provision is desirable, because the purpose is to reveal the potential financial interest of a Senator and his immediate family. The fact that his spouse had acquired the funds before the marriage would have very little bearing on the extent to which, in the normal marriage, her assets would be available, in part at least, for her husband's political activity.

Mr. BURDICK. Let us assume the spouse had been a widow, and the widow had children, and the former husband had set up trusts for the minor children. Would the minor children have to disclose that?

Mr. CLARK. I would not think so, because the minor children were not the Senator's children.

Mr. BURDICK. Once they were adopted, they would be.

Mr. CLARK. I am afraid if the Senator went ahead and adopted them, he would be "stuck."

Mr. BURDICK. Does not the Senator think that is going a little far into the private lives of families?

Mr. CLARK. I am susceptible to that argument. If the Senator would prepare an amendment which would exclude that rather peculiar and extremely limited category, I would look at it with some sympathy. I would, of course, want to discuss it with my friend from New Jersey and other Senators. It may well be that, as this debate proceeds, we will find some situations in which we think the provisions of this amendment are too strict.

Mr. BURDICK. I thank the Senator.

Mr. CLARK. Mr. President, I am prepared to yield the floor, unless other Senators have questions.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CLARK. I am glad to yield to the Senator from New Mexico.

Mr. ANDERSON. I am glad the Senator gave that last statement. If someone had inherited property, we would not want to go back to the trust which had been set up. I am glad the Senator from North Dakota asked that question.

Mr. CLARK. The Senator from Mississippi indicated that he would be favorable to proceeding to a discussion and consideration of this amendment. This gives us time to have a discussion. I am sure the Senator from New Jersey and I do not intend to be arbitrary about this. As each suggestion comes from our colleagues, we can tell whether the disclosure is in the national interest or the interest of the Senate. The Senator from New Jersey has already indicated he is favorable to an amendment which the Senator from Delaware [Mr. WILLIAMS] would like to have us consider.

Mr. ANDERSON. Sometimes the wife does not disclose to her husband her own financial situation.

Mr. CLARK. And vice versa.

Mr. ANDERSON. No; it cannot be done that way in my State.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from Kansas.

Mr. PEARSON. The proposed code, although it is part of the closed financial disclosure, deals with trusts, and I am wondering whether the Senator's amendment would likewise deal with trusts.

Mr. CLARK. Yes; and beneficial interest therein. I do not think there is any significant difference in the disclosure features of the pending amendment with reference to trusts and the amendment supported by the Ethics Committee. There are two differences. First, this amendment calls for complete public disclosure; and, second, instead of using the Federal income tax as the base, we have attempted to spell out the various categories of financial interest which we thought were desirable to incorporate in the disclosure proposal.

Mr. PEARSON. I thank the Senator.

I make a further inquiry, almost in the form of an observation. Within the committee deliberations, time and time again I came to the conclusion that perhaps open and complete disclosure might be a good thing. I came to that conclusion not because of the need for public confidence to be engendered as because it was so difficult to write any sort of disclosure code and rule.

In that regard, I held the view—and I will ask the Senator to comment on it—a number of times that public disclosure might very well take the form, not so much of identity and the amount, but identity itself. I am not seeking to draw a line as to where a man becomes honest or dishonest, but a disclosure of the type of property and assets and interest any person might hold, without the amount involved, and also a description of the type of indebtedness a person might owe, without the amount involved.

The point is that perhaps the public would have the right to know what assets, what property, one may hold and what his indebtedness is, but without knowing the amounts involved.

Mr. CLARK. I would observe, with all respect to my friend, the Senator from Kansas, that I do not think that would be adequate. Let me give the Senator an example, I personally happen to hold an interest in minerals, oil and gas, from which I get a fairly significant royalty each month. In fact, it is the principal source of my unearned income. I disclose that every year, anyway. I also own a few shares of stock in a well-known life insurance company. The return from one is many, many times the return from the other.

I would think that I ought to alert my constituents to the amounts of the principal sources of my income, so that there would be no misunderstanding as to what areas of possible conflict might arise. Somewhat nostalgically—I guess nostalgically is not the right word, but I think perhaps somewhat cynically, during my service over the years I have voted in favor of reducing the oil depletion allowance, knowing reasonably well that my vote would not prevail, and happily taking the depletion allowance whenever I filed my income tax returns. The time has come when I shall regret that quixotism.

Mr. CASE. The Senator is not fair to himself. I cannot permit him to describe his motives in that fashion.

But I do think there is a point here, if the Senator will yield so that I may comment.

Mr. CLARK. I am happy to yield. I will yield the floor, if the Senator wishes.

Mr. CASE. No, no. The Senator from Delaware, as I believe the Senator from Pennsylvania mentioned, has raised with us the question of whether, in the case of real estate, a description of the property and perhaps a statement of its assessed value might not substantially meet the situation that we have in mind. The Senator from Pennsylvania and I have discussed that proposition, and have at least tentatively agreed to consider it further.

I do think there are occasions when the size of a person's obligation or the amount of the value of particular assets is a relevant part of the description of those assets and would be of interest from the standpoint of what we are trying to get at, which is the existence or possible existence of conflicts of interest.

Mr. CLARK. I agree.

Mr. CASE. And that is the only reason, in matters of this kind. I think in the case of a tangible piece of property, if that is a proper word to use for real estate, to look at the property itself, its size, description, and so forth, may be adequate.

Mr. CLARK. Yes. If we know where it is, we can go out and look at it or send someone out to look at it.

Mr. CASE. It is not our intention to harass or hurt or embarrass people by requiring them to make statements which might be used against them by tax assessors and others in the future.

Mr. CLARK. Nobody wants to let anybody else into his safe deposit box to examine his securities. But I should think, if it were revealed that a piece of timberland located in such and such a township, having an assessed value of x dollars, is owned by the Senator, that would probably be enough.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield.

Mr. ANDERSON. Why does the administration of this law require a different standard for the Senator than for the ordinary citizen?

As in the case of any citizen, if we are interested in how much his income is, if anybody has any questions, the Senate Finance Committee can get a copy of his tax return. Why do we have to have more than that here?

Mr. CLARK. In the first place, the tax return is not made public. That is probably the biggest reason. In the second place, I think the Senator from New Mexico, with his wide and deep business experience, would agree with me that capital gains are among the most helpful types of income, and are frequently realized and actually treated, in many instances, as though they were income.

Mr. ANDERSON. It is not improper to have income. Why should we single out a single person or a single group, and say that each must reveal it? A businessman does not have to make public his income.

Mr. CLARK. This is the argument made by the distinguished minority leader, who says that disclosure would make of him a second-class citizen. I do not agree with that. It seems to me that anyone who determines to seek election as a Member of the United States Senate owes to his constituents that same high standard which traditionally has been said to have been required by Caesar's wife, that she should be above suspicion.

Mr. ANDERSON. Above reproach.

Mr. CLARK. We have had too many instances in the history of the Senate, going back over the years, where there was evidence of dealing under the table by Senators who were subjected to and yielded to improper influences, to make me feel that anything less than a rather rigorous and complete financial disclosure—such as many of us have made over the years—is insufficient.

Mr. ANDERSON. We have made it, that is right, and we have all filed these statements right along; but it is not advertised as being income that someone might object to.

I simply do not see why income has to be specially classified here, when we have many other reporting services that do not check it that way.

Mr. CLARK. Mr. President, I yield the floor.

Mr. STENNIS. Mr. President, may I inquire of the Senator from Pennsylvania—I understand the Senator has another amendment on the same subject. Did the Senator wish to present that amendment now? I am not trying to press him; he has been very cooperative.

Mr. CLARK. Yes; I would be prepared now, without offering it, to have it identified by number. It is amendment No. 629, which has been filed at the desk and will be printed overnight.

It is what might be called a fall-back amendment, in the event the pending amendment is defeated. It would, in general, return to the language of the committee proposals with respect to disclosures, but substitute, very simply, public disclosure for private disclosure.

Mr. STENNIS. I thank the Senator.

If I may summarize briefly, Mr. President, in behalf of the committee, we certainly considered all the major points, at least, of the amendment which has just been presented to the Senate and discussed by the Senator from Pennsylvania. We weighed the merits of each of those points as against the merits of the provisions that we adopted.

Our main controlling thought was that there had to be some recognition of the privacy and the rights of privacy, to the degree that an individual still possesses such rights when he comes into the Senate. Even though he is a public servant, the committee felt he just should not be literally stripped in public, if I may use that term; but at the same time we strongly favored the idea of some regulation and some disclosure to the Senate and then, through the Senate, in cases that we felt should be disclosed to the public, public disclosure.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Pennsylvania.

Mr. CLARK. I think the simplest statement of the contrary view to what the Senator from Mississippi has just said appears in the supplemental views of the Senator from Kentucky [Mr. COOPER] to the report of the committee, in which he states:

> I disagree with the action of the committee on proposed rule XLIV relating to disclosure of financial interests. The reasons for and against public disclosure have been examined and debated by the Senate on many occasions and I will not elaborate them in this statement. It has been and is now my position that disclosure of financial interests should be available to the public and I shall support and vote for such a measure.

I myself have, on a number of occasions since coming to the Senate, raised the same point, usually unsuccessfully. As a member of the Committee on Rules and Administration, I tried, with the support, as I recall it, of the Senator from Kentucky, to provide for public disclosure. I felt that this became a matter of acute importance, involving the integrity of the Senate, at the time of the Bobby Baker disclosures. I felt then that, had there been an adequate public disclosure of the financial activities of Senators and well-paid members of their staffs, we might have avoided the unfortunate publicity and unfortunate public reaction to the standards on conduct of the Senate which followed.

I thank the Senator from Mississippi.

Mr. COOPER. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I commented yesterday on my views with respect to this rule, and the Senator from Pennsylvania has correctly stated my position.

I filed and there appears in the report of the committee my supplemental views on two issues on which I disagree with the majority of the committee.

I also serve on the Rules and Administration Committee, in which we have had numerous debates and discussions on the subject of disclosure. For 2 years, the select committee has considered the disclosure rule and other rules which are now recommended to the Senate. As the Senator from Mississippi has said, our report is a first step in the field of ethics and upon which the Senate must now act.

The disclosure rule has been a very difficult question, for it involves issues which can be argued with strength on either side.

On one side, there is the interest of protecting as far as possible privacy. However, I came to the conclusion several years ago that our official work is affected by the public interest. Upon that basis I argued the case in committee, and I have submitted my views in the report, by which I stand. I support the amendment offered by the distinguished Senators from Pennsylvania [Mr. CLARK] and from New Jersey [Mr. CASE].

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. ANDERSON. Mr. President, there was a Member of the Senate many years ago from Michigan. He was a multimillionaire. I do not think that anyone ever criticized his conduct as a Member of the Senate. He had owned a good portion of the Ford Motor Co. He was a very distinguished Member of the Senate.

Sometimes these reports are not too revealing. I felt one day that I had to make a financial report. I had loaned some money to a man who owned a radio station who was in some financial distress. He was a friend of mine, and I supplied some money by purchasing stock. As a result, I had to fill out a financial statement. I listed in the report everything that I possessed or could hope to possess.

A very well-to-do Senator from the State of Oklahoma had to make the same kind of report. He said, "Worth more than $10,000." That statement was satisfactory.

I think that if one person has to itemize all of his holdings, all others should do so, too, and he should list all property and all other possessions.

Under the pending measure, everybody who owned anything of the value of $10,000 or more would have to report it. If anyone had bought a share of stock years ago, he would have to report that and would have to report the capital gains and capital losses.

I think it is a waste of time. I hope the matter is rejected.

Mr. STENNIS. Mr. President, I thank the Senator very much for his contribution to the debate. His comments are always worthy.

Mr. President, the amendment offered by the Senator from Pennsylvania, with his great sincerity, can be answered, I think, by stating that before a man ever gets to the Senate he is passed upon by the electorate of his State which always includes a great many people of discriminating thought, intuition, and evaluation. The battle is fought out on the firing line and between the parties. The people of the State pass upon the facts and they pass upon the man. The people judge all the facts relating to the man and the problems he will face.

There is a refining and filling-out process that has been going on in our country for almost 200 years. That has been a major part of the committee's thinking on disclosure.

A candidate is examined, exposed, and picked to pieces to a considerable extent. Many of the people know the man personally, where he was reared, what his habits are, what property he holds, and what his faults are.

The people pass on all of those factors. They pass upon the man, his moral character, and fiber. They know what he will do under pressure. They know what he will do under coercion. They know what he will do under political persuasion. The people have a good idea as to that when they deliberately select him to represent them in the Senate.

It seems to me that before the man gets here, if we are to assume that he is unworthy, that he cannot be trusted fully, or that the man is going to be wrong in his approach to problems or wrong in his contacts, and we say to him: "No; we will not let you be a Member of the Senate; we will not let you take your oath and do what you have been selected to do until we strip you in public, so to speak, and expose everything in the world about you," I do not think such action is in keeping with the tradition of the Senate.

And when we adopt that rule, if we ever do, then I think something big and fine will have gone out of this body, and the Senate will become more ordinary than it should be.

We should appeal to the very best that there is in a man. I think that any other approach would have a degrading effect on the man and on this institution. I think it would express a distrust of the people themselves. We did not agree to do that. However, we did adopt the best rule we could, a rule that would protect that man in such privacy as we thought he was entitled to and at the same time require him to make a report readily acceptable to the Senate at all times, filed in advance, some of it under oath, including the income tax returns. That is there as a protection and a safeguard to him. However, at the same time, we have the written record, so if there are any allegations as to irregularities or even a strong suspicion of wrongful conduct that might be deemed worthy of investigation, the Senate itself, through its processes, could look into that record, made perhaps 2 or 3 years earlier. But it would be in writing. It might contain certain supplemental matters. The facts, or the substance of the facts, would be available and could be checked into. However, they would not be used, would not be exposed, or would not be given out against him until he had had a chance to be heard and to refute the facts in closed session. That is the American system. That is the protection that we afford.

If wrongdoing were shown, it would be exposed, of course, according to the general methods that constitute due process of law under our system—a chance to be heard and an opportunity to call witnesses.

That is the case. But on top of all that, we extracted all those financial items that go with public life, go with official conduct or official expenditures or semiofficial expenditures, such as the cost of campaigns, the cost of dealing with constituents in a semiofficial capacity, and said that that information must be published every year. In that way, only the items that are private, that are not fully disclosed, are fixed where they can be readily disclosed for cause.

The committee believes that that is the soundest rule, that it is the American rule. I believe that on a test of the amendment, the selection we have made will prove to be the will of the Senate.

Mr. President, I am ready to yield the floor. The Senate will not have any votes this afternoon. As a practical matter, I know it will not. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I am very grateful to the Senator from Mississippi for waiting for me. I was delayed.

AMENDMENTS NOS. 635 AND 636

Mr. President, I send to the desk two amendments, and I ask that they be printed.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

Mr. STENNIS. Another amendment is pending. Does the Senator wish to have these amendments read?

Mr. DODD. I do not insist on their being read. If they are printed, they will be available in the morning.

The PRESIDING OFFICER. The Chair understands that the Senator requests that the amendments be printed.

What is the will of the Senate?

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock meridian tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock meridian tomorrow.

The motion was agreed to; and (at 5 o'clock and 2 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, March 20, 1968, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate March 19, 1968:

IN THE AIR FORCE

Lt. Gen. Jack G. Merrell, FR1687 (major general, Regular Air Force), U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of general, under the provisions of section 6066, title 10 of the United States Code.

HOUSE OF REPRESENTATIVES—*Tuesday, March 19, 1968*

The House met at 12 o'clock noon.

The Reverend Wilbur N. Daniel, Antioch Missionary Baptist Church, Chicago, Ill., offered the following prayer:

In all thy ways acknowledge Him, and He shall direct thy paths.—Proverbs 3: 6.

Almighty and allwise God, Thou who hath revealed Thyself as a strength to sustain us and a light to lead us, may this day be rich in the realization of Thy nearness.

Give us the faith to believe that it is possible for us to live victoriously even in the midst of dangerous opportunity that we call crisis.

Grant to us a faith which will make us victorious over all the dark and disquieting moods which so frequently beset and baffle us.

Help us to interpret our longings and labors for universal peace; not as an idle dream, but as a glorious divine inspiration from Thee.

We pray that Thou wilt teach us and show us how we may bring about a closer fellowship and a better understanding between all members of the human family. O God, may we see and understand just how much we have in common and how much we need each other. May we be guided by Thy will as we work together and minister to one another's welfare, peace, and happiness.

Hear us, O God, in the name of the Captain of our Salvation. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

THE REVEREND WILBUR N. DANIEL

Mr. MURPHY of Illinois. Mr. Speaker, I ask unanimous consent to address the